

Court No. - 21

Case :- WRIT - C No. - 41678 of 2023

Petitioner :- Indra Dev Ram And Another

Respondent :- Union Of India And 3 Others

Counsel for Petitioner :- Ajay Kumar Srivastava

Counsel for Respondent :- A.S.G.I.,C.S.C.

Hon'ble Manoj Kumar Gupta,Acting Chief Justice

Hon'ble Donadi Ramesh,J.

1. Heard learned counsel for the petitioners, Sri Rajesh Kumar Vidyarthi, learned counsel for respondent Nos. 1, 3 & 4 and Sri Rajiv Gupta, learned Additional Chief Standing Counsel for the State-respondent.
2. The petitioners have challenged the award dated 20.07.2023 passed by the competent Authority under the provisions of the National Highways Act, 1956. The case of the petitioners is that market value determined by the competent Authority is incorrect and the petitioners are entitled to compensation at the rate of Rs.4,000/- per square meters along with other statutory benefits.
3. Learned counsel for respondent nos.1, 3 and 4 submits that by virtue of Section 3-G(5) of the National Highways Act, 1956, the provisions of Arbitration and Conciliation Act, have been made applicable to every award, which is not disputed by the learned counsel for the petitioners.
4. We, therefore, decline to examine the challenge in exercise of writ jurisdiction.
5. Accordingly, we relegate the petitioners to the alternative remedy available to them under the Act. In case the petitioners seek reference of the dispute to the Arbitrator by filing copy of the instant order along with their objections before the competent Authority, he will immediately refer the matter to the arbitrator in terms of Section 3-G(5) of the National Highways Act, 1956.
6. The instant petition stands disposed of accordingly.

(Donadi Ramesh, J.) (Manoj Kumar Gupta, A.C.J.)

Order Date :- 4.12.2023

rkg