Court No. - 21

Case :- WRIT - C No. - 42470 of 2023

Petitioner :- Ram Niranjan
Respondent :- Union Of India And 4 Others
Counsel for Petitioner :- Vikrant Pandey,Ram Awadh Maurya
Counsel for Respondent :- A.S.G.I.,C.S.C.,Sudhir Bharti,Vaibhav Tripathi

Hon'ble Manoj Kumar Gupta,Acting Chief Justice
Hon'ble Kshitij Shailendra,J.

1. Heard Sri Vikrant Pandey, learned counsel for the petitioner, Sri Rajeev Gupta, learned Additional Chief Standing Counsel for the state-respondents, Sri Vaibhav Tripathi, counsel for the National Highways Authority of India and Sri Sudhir Bharti, counsel for respondent no.5.

2. The instant petition is directed against the award of the Arbitrator dated 25.04.2023 in exercise of power under Section 3G (5) of the National Highways Act, 1956.

3. Sri Vaibhav Tripathi, learned counsel for NHAI submits that the petitioner has efficacious alternative remedy of filing an objection under Section 34 of the Arbitration and Conciliation Act, 1996 read with Section 3G (6) of the National Highways Act, 1956.

4. We find considerable force in the submission of the learned counsel for the respondents.

5. As the petitioner has an alternative remedy available to him under the statute, therefore, we relegate him to the said remedy as we are not inclined to examine the factual disputes relating to quantification of the compensation amount in exercise of writ jurisdiction.

6. The petition is accordingly disposed of with liberty to the petitioner to avail the remedy provided under the statute.

Order Date :- 15.12.2023
Mukesh Kr.

(Kshitij Shailendra,J.) (Manoj Kumar Gupta,A.C.J.)

Digitally signed by :-
MUKESH KUMAR
High Court of Judicature at Allahabad