Court No. - 21

Case :- WRIT - C No. - 42678 of 2023

Petitioner :- Ashok Kumar
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.,Rajesh Kumar Jaiswal,Sudhir Bharti

Hon'ble Manoj Kumar Gupta,Acting Chief Justice
Hon'ble Donadi Ramesh,J.

1. Heard Sri Vikrant Pandey, learned counsel for the petitioner, Sri Rajeev Gupta, learned Additional Chief Standing Counsel for the state-respondents, Sri Rajesh Kumar Jaiswal, counsel for respondent nos.1 and 4 and Sri Sudhir Bharti, counsel for respondent no.5.

2. The petitioner has challenged the award of the Arbitrator dated 06-06-2023 passed under Section 3G (5) of the National Highways Act, 1956.

3. Learned counsel for NHAI Sri Rajesh Kumar Jaiswal 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 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.

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

Order Date :- 11.12.2023/pks

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