

Court No. - 3

Case :- WRIT - C No. - 26433 of 2021

Petitioner :- Sirtaj Ahmad And Ors.

Respondent :- U.O.I. Thru. Secy. Min.Of Road Transport Andn.H. And Ors.

Counsel for Petitioner :- Manish Mani Sharma

Counsel for Respondent :- C.S.C.,A.S.G.,Sarvesh Kumar Dubey

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard learned counsel for the parties.

Petitioners have approached this Court for enhancement of compensation granted under the National Highways Act, 1956.

Learned counsel for the petitioners states that petitioners are also claiming the benefit of Section 73 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Learned for the N.H.A.I. raises a preliminary objection that the petitioners have statutory alternative remedy of raising an arbitration under Section 3G(5) of the National Highways Act, 1956.

In view thereof, the writ petition is disposed of with liberty to the petitioners to file appropriate application before the Arbitrator in accordance with law.

In case such an application is filed by the petitioners, it is expected that the said application shall be decided by the Arbitrator in accordance with law by a reasoned and speaking order, after hearing the parties concerned, expeditiously.

(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 16.11.2023

Arjun/-