

Court No. - 3

Case :- WRIT - C No. - 8686 of 2023

Petitioner :- Ram Bali

Respondent :- State Of U.P. Thru. Prin./Addl. Chief Secy. Deptt. Revenue U.P. Govt. Civil Sectr. Lko. And Others

Counsel for Petitioner :- Shobhit Mohan Shukla, Mukesh Kumar Sharma, Raj Krishna

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

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard learned counsel for the petitioner, learned Standing Counsel for the State authorities and Shri Sarvesh Kumar Dubey, learned counsel for the N.H.A.I.

Learned counsel for the petitioner states that the District Magistrate, Amethi is to decide the arbitration applications filed by the N.H.A.I. for challenging the amount of compensation fixed by the competent authority.

Learned counsel for the petitioner further submits that the District Magistrate, Amethi by his report dated 29.10.2022 has already reported to the Special Secretary that the compensation amount fixed by the competent authority is highly exorbitant and appropriate action should be taken, thus, it is not expected that he would do justice while hearing the arbitration applications, as he has already expressed his opinion.

Learned Standing Counsel and Shri Sarvesh Dubey, learned counsel for the N.H.A.I. also fairly concede that the same District Magistrate, who has given the report dated 29.10.2022 is continuing at the district.

In the given facts and circumstances, the petition is ***disposed of*** with a direction to the District Magistrate, Amethi to transfer all the arbitration applications to the Commissioner, Lucknow Division, Lucknow forthwith, who shall hear and decide the arbitration cases, which are impacted by the report dated 29.10.2022. The Commissioner, Lucknow Division, Lucknow is expected to decide the arbitration applications within a period of six months from today strictly in accordance with law without being influenced by report dated 29.10.2022.

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

Order Date :- 1.11.2023/Ashish