

Court No. - 3

Case :- WRIT - C No. - 9501 of 2023

Petitioner :- Ankit Gupta

Respondent :- Union Of India Thru. Secy. Ministry Of Road Transport And Highways , New Delhi And Others

Counsel for Petitioner :- Sanjay Kumar Singh

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

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard learned counsel for the petitioner, Sri Ambrish Rai, learned counsel for the Union of India, Sri Sarvesh Kumar Dubey, learned counsel for the respondent no. 2, Sri Anuj Agrawal, learned counsel for respondent no. 3, Sri Dilip Kumar Pandey, learned counsel for respondent no. 4 and perused the record.

The petitioner herein seek to challenge the notice issued under Section 26(2) of the Control of National Highways (Land and Traffic) Act, 2002.

The remedy to the petitioner lies under Section 14 of the Control of National Highways (Land and Traffic) Act, 2002 to approach the National Highways Tribunal for redressal of their grievances with regard to the encroachment over the National Highways.

In view of above, the writ petition is dismissed on the ground of alternate remedy.

In case, petitioner so desires, he may also file the stay application before the appellate authority, which will be considered by the appellate authority and decided expeditiously.

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

Order Date :- 31.10.2023

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