

GAHC010077612024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/2193/2024

MD. DIDAR MIRDHA
S/O- LATE EANUSH MIRDHA,
RESIDENT OF VILLAGE- MORANGAON, BORGANG,
PO- BORGANG, P.S. AND MOUZA- BEHALI,
DISTRICT- BISWANATH, ASSAM.

VERSUS

THE UNION OF INDIA AND 9 ORS.
REPRESENTED BY THE ITS SECRETARY,
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS,
TRANSPORT BHAWAN, 1, PARLIAMENT STREET,
NEW DELHI- 110001.

2:THE NATIONAL HIGHWAYS AUTHORITY OF INDIA
G5 AND 6
SECTOR 10
DWARKA

NEW DELHI- 110075 (REPRESENTED BY ITS CHAIRMAN).

3:THE REGIONAL MANAGER
NORTH EASTERN REGION
THE NATIONAL HIGHWAY AUTHORITY OF INDIA
NEDFI HOUSE
DISPUR
GUWAHATI- 781006.

4:THE NATIONAL HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT
CORPORATION LTD. (NHIDCL)
PARLIAMENT STREET
NEW DELHI- 110001
(REPRESENTED BY ITS MANAGING DIRECTOR).

5:THE EXECUTIVE DIRECTOR CUM HIGHWAY ADMINISTRATOR
NHIDC LTD.
GNB ROAD
AMBARI
GUWAHATI- 781001.

6:THE STATE OF ASSAM
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM

REVENUE AND DISASTER MANAGEMENT DEPARTMENT

DISPUR
GUWAHATI-06.

7:THE COMMISSIONER AND SECRETARY TO THE GOVERNMENT OF
ASSAM
REVENUE AND D.M. DEPARTMENT
DISPUR
GUWAHATI- 06.

8:THE DEPUTY/ DISTRICT COMMISSIONER

SONITPUR.

9:THE DEPUTY / DISTRICT COMMISSIONER

BISWANATH.

10:THE CIRCLE OFFICER

BISWANATH REVENUE CIRCLE

BISWANATH

Advocate for the Petitioner : MR. S K TALUKDAR
Advocate for the Respondent : DY.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 26.04.2024

Heard Mr. S. K. Talukdar, learned counsel for the petitioner. Ms. S. Baruah, learned counsel of CGC appearing for respondent no.1; Mr. C. Baruah, learned standing counsel of the NHAI and NHIDCL appearing for respondent nos.2 to 5; Mr. S. Dutta, learned standing counsel of the Revenue Department appearing for respondent nos.6 and 7; Mr. S. Baruah, learned Govt. Advocate appearing for respondent nos.8 to 10.

2. Alleging receipt of insufficient land acquisition compensation in respect of petitioner's land that was acquired for National Highway, the present writ petition has been filed under Article 226 of the Constitution of India.

3. It appears from the statements made in the writ petition that the petitioner has not availed the statutory remedy as prescribed under Section 3G(5) of the National Highways Act, 1956.

4. Accordingly, this writ petition stands closed with liberty to the petitioner to approach the said jurisdictional arbitrator, and to raise issues which have been raised in this writ petition.

5. Accordingly, this writ petition stands closed without adjudication by

granting liberty as indicated above.

JUDGE

Comparing Assistant