

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

WP(C) No. 121 of 2025

Wetsolu Wezah & Anr.

...Petitioners

- Versus -

State of Manipur & 3 Or.

...Respondents

**B E F O R E
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

ORDER

13-02-2025

- [1] Heard Mr. S. Worthing, learned counsel for the petitioners.
- [2] The petitioners approach this Court for directing the respondents to enhance the compensation of the land acquired by respondent No. 4 for widening of National Highway-29.
- [3] Vide 3G-Award dated 30-09-2023 passed by the Deputy Commissioner (CALA), Ukhrul, a sum of Rs. 109,19,66,886/- was calculated as the amount payable for the entire acquisition of land under which the land of the petitioners were also included.
- [4] By the present writ petition, the main prayers are for directing the respondents to enhance the compensation under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and also to dispose of the pending representations submitted by the petitioners to the Deputy Commissioner, Ukhrul in this regard.
- [5] Mr. Niranjana Sanasam, learned Government Advocate and Mr. S. Vijayanand Sharma, learned Sr. PCCG appearing on behalf of the respondents, raise the preliminary objection to the maintainability of the writ

petition for enhancing the compensation under 2013 Act as the same could not be applicable in the land acquisition initiated under Section 3A of The National Highways Act, 1956. Learned counsel for the respondents submits that as per Section 3G of The National Highways Act, 1956, if a person is not satisfied with the amount decided by the competent authority, an application may be moved to decide the enhanced award by an arbitrator to be appointed by the Central Government.

[6] Mr. S. Worthing, learned counsel for the petitioners, submits that the petitioners have submitted an application dated 20-09-2024 to the Deputy Commissioner (CALA), Ukhul for referring to the Arbitrator under Section 3G(5) of the National Highways Act, 1956. It is submitted that the writ petition may be disposed of by directing the Deputy Commissioner, Ukhul to refer the matter relating to the compensation of the petitioner to the Arbitrator.

[7] Learned counsel for the respondents have no objection in passing an innocuous order in terms of Section 3G of the National Highways Act.

[8] Recording the submissions made at the Bar and considering the provisions of The National Highways Act, 1956, respondent No. 2, Deputy Commissioner, Ukhul is directed to consider the representation for referring the matter to the Arbitrator within a period of one month from the date of receipt of a copy of this order.

[9] The writ petition is disposed of accordingly.

[10] It is clarified that this Court does not express any opinion on the merit of the case.

[11] Furnish a copy of this order to the learned counsel appearing on behalf of the parties.

JUDGE

Victoria