

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2076 of 2015

1. Radhika Qunwar Wife of Late Sita Ram Singh, Resident of Village - Karnapura, Durgwati, District - Kaimur.

.... Petitioner/s

Versus

- 1. The Union of India through the Sectary Ministry of Road and Transport and Surface, Government of India, New Delhi.
- 2. The Secretary, Ministry of Road Transport and Highway Government of India, New Delhi.
- 3. The Chief Engineer, National Highway N.H. 2 Patna.
- 4. The District Collector, Kaimur.
- 5. The District Land Acquisition Officer, Kaimur.
- 6. National Highway Authority N.H.-2 Kaimur.
- 7. The Chairman, the Bihar Staff Selection Commission, P.O. - Veterinary College, Bailey Road, Patna.

.... Respondent/s

Appearance :

- For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.
- For the Respondent/s : Mr. Anshay Bahadur Mathur, CGC
- For the NHAI : Mr. S.N. Pathak, Adv.
- For the state : Mr. Sanjay Sinha, A.C. to G.A.4

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 14-07-2015 Mr. Sheo Kumar Prasad, learned counsel for the petitioner, learned counsel for the State, Mr. Anshay Bahadur Mathur, learned Central Government Counsel for the Union of India and Mr.S.N.Pathak for the National Highway Authority of India is present.

The petitioner has questioned the award passed under Section 3G(5) of the National Highways Act, 1956.

Mr. S.N.Pathak learned counsel for the NHAI submits that the remedy for the petitioner lies before the civil court in view of

Section 34 of the Arbitration and Conciliation Act, 1996 as decided by the Division Bench in a matter reported in **2014(1) PLJR 207 (Project Director, National Highway Authority, Araria at Purnea, Bihar & Anr. Vs. Md. Gufran Alam & Ors.)**.

In the circumstances presenet, Mr. Prasad learned counsel for the petitioner prays for disposal of the writ petition reserving liberty for the petitioner to take recourse to such other remedy as may be available to him in law for redressal of his grievance.

The permission is allowed.

The writ petition is disposed of.

(Jyoti Saran, J)

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