

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

WP(C).No. 4093 of 2010 (J)

PETITIONER:

JAYESH E.K., S/O.KUNJAMAN,
ELUVUNGAL HOUSE, ELINJIPRA,
KODASSERY VILLAGE, MUKUNDAPURAM TALUK,
THIRSSUR DISTRICT.

BY ADVS.SRI.MATHEWS K.PHILIP
SMT.T.MANASY

RESPONDENT:

1. THE DISTRICT COLLECTOR & ARBITRATOR,
THRISSUR.
2. SPECIAL DEPUTY COLLECTOR S.L.A.O &
COMPETENT AUTHORITY, N.H.D.P., THRISSUR-20.

BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22-05-2015,
ALONG WITH WPC. 3467/2010, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE AWARD NOTICE IN LAC 252/06.
EXHIBIT P2 : TRUE COPY OF THE STATEMENT FILED BY THE PETITIONER.
EXHIBIT P3 : TRUE COPY OF THE AWARD NO. 80/2009 DT. 20.11.2009.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NOs. 4093 & 3467 OF 2010

Dated this the 22nd day of May, 2015

JUDGMENT

The petitioners challenge Ext.P3 award passed by the Arbitrator under the National Highways Act, 1956. The remedy is to challenge the award passed by the arbitrator under the provisions of the Arbitration and Conciliation Act, 1996. The issue is covered by **Varghese A.P. and another Vs. Union of India and others [ILR 2015 (1) Kerala 112]**.

2. The petitioners are free to invoke the remedy aforesaid and the present writ petitions are not maintainable in law. It is also open to the petitioners to make an application under Section 14 of the Limitation Act if the same is maintainable. Such a rider has been incorporated in the decision aforesaid and hence I follow the same course.

The Writ Petitions are disposed of.

**V. CHITAMBARESH
JUDGE**