

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

WP(C).No. 6942 of 2009 (K)

PETITIONER(S):

JAMES @ CHAKKUNNY, S/O.PORINCHU,
KODALI HOUSE, PALAZHY DESOM, NENMANIKKARA VILLAGE
MUKUNDAPURAM TALUK, THRISSUR DISTRICT.

BY ADVS.SRI.MATHEWS K.PHILIP
SMT.NIMMY K.ALILAKUZHAYIL

RESPONDENT(S):

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

R BY SRI.GOVERNMENT PLEADER SRI.THOMAS JOHN AMBOOKEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
26-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P(C) No.6942 of 2009

PETITIONER'S EXTS:

- EXT.P1 TRUE COPY OF THE AWARD NOTICE IN LAC 122/2005
- EXT.P2 TRUE COPY OF THE STATEMENT FILED BY THE PETITIONER IN
LACT 122/2005
- EXT.P3 TRUE COPY OF THE INTIMATION GIVEN TO THE PETITIONER UNDER
THE RIGHT OF INFORMATION ACT.
- EXT.P4 TRUE COPY OF THE AWARD NO.143/2008 DATED 28/12/2008.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.6942 of 2009

Dated this the 26th day of May, 2015

J U D G M E N T

Ext.P4 Award passed by the Arbitrator under the National Highways Act, 1956 is impugned. The remedy of the petitioner is to challenge the Award under the provisions of the Arbitration and Conciliation Act, 1996. The issue is covered by the decision of this Court in Varghese.A.P. And another v. Union of India and others [ILR 2015 (1) KERALA 112].

2. The petitioner has been prosecuting this writ petition for long under the bona fide belief. Therefore the remedy under Section 14 of the Limitation Act if any available can be urged in the proceedings to be initiated. Such a rider is made even in the judgment in Varghese.A.P.'s case afore quoted.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.