

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3069 of 2016

- Sanjay Agrawal S/o Late Ramautar Agrawal, Aged About 54 Years, 35-36, Millenium Plaza, First Floor, Raipur 492001 (Chhattisgarh)

---- Petitioner

Versus

1. Project Director National Highways Authority Of India, Shankar Nagar, Raipur, (Chhattisgarh)
2. Upper Collector & Arbitrator (NHAI), Raipur, (Chhattisgarh)
3. Sub Divisional Officer, Revenue And Land Acquisition Officer, Raipur, (Chhattisgarh)

---- Respondents

and

WPC No. 3074 of 2016

- Sanjay Agrawal S/o Late Ramautar Agrawal, Aged About 54 Years 35-36, Millenium Plaza, First Floor, Raipur 492001 (Chhattisgarh)

---- Petitioner

Versus

1. Project Director National Highway Authority Of India, Shankar Nagar, Raipur, (Chhattisgarh)
2. Upper Collector & Arbitrator (N H A I), Raipur, (Chhattisgarh)
3. Sub Divisional Officer, Revenue And Land Acquisition Officer, Raipur, (Chhattisgarh)

---- Respondents

For Petitioner

For Respondent-State

For respondent-National Highways

Shri Raja Sharma, Advocate

Shri R. K. Mishra, Dy. AG

Ms. Fouzia Mirza, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

14/12/2016

1. In these writ petitions, the petitioner has prayed for a direction to the respondents to decide his objection/claim for higher compensation on account of acquisition of his land for widening of NH6 in the year 2012.
2. Shri Raja Sharma, learned counsel for the petitioner, would submit that in accordance with the provisions contained in Section 3G/3H of the National Highways Act, 1956 (henceforth 'the Act, 1956'), the petitioner's case is already pending before the Arbitrator appointed under Section 3H (5) from the year 2012 onwards i.e. for last more than 4 years and yet the Officers of the National Highways Authority are not cooperating to get the matter adjudicated.
3. Considering the entire facts situation of the case, the writ petitions are disposed of with a direction that the Additional Collector-cum-Arbitrator (NHAI), Raipur, Chhattisgarh shall adjudicate the arbitration proceedings under Section 3G/3H of the Act, 1956, at the earliest, preferably within a period of 4 months from 16.02.2017.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA