

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE M. GANGA RAO**

Writ Petition No.32388 of 2017

ORDER: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

Heard Sri J.C.Francis, Learned Counsel for the petitioners, Sri K.Lakshman, Learned Assistant Solicitor General appearing for the 1st respondent, and Sri A.Lakshminarayana, Learned Standing Counsel for respondents 2 and 3 and, with their consent, the Writ Petition is disposed of at the stage of admission.

The relief sought for in this Writ Petition is to declare the inaction of the respondents, in not conducting arbitration with respect to the appeals filed by the petitioners on 19.08.2016 and 26.08.2016, under Section 3G(5) to (7) of the National Highways Act, 1956 (for short "the Act") before the Arbitrator under the National Highways Act, 1956 (Additional Joint Collector) at Warangal, Warangal District, as arbitrary and illegal.

Section 3G of the Act relates to determination of the amount payable as compensation. Under sub-section (1) thereof, where any land is acquired under the Act, there shall be paid an amount which shall be determined by an order of the competent authority. Section 3G(5) stipulates that, if the amount determined by the competent authority under sub-section (1) is not acceptable to either of the parties, the amount shall, on an application by either of the parties, be determined by the arbitrator to be appointed by the Central Government.

In exercise of the powers conferred by Section 3G(5) of the Act, and on consent being conveyed by the Government of

Telangana in their letter dated 24.01.2017, the National Highways Authority of India, by its proceedings dated 28.04.2017, appointed the District Collectors of various Districts as the arbitrators, for the revenue districts mentioned therein, under Section 3G(5) of the Act; and to deal with the arbitration work relating to land acquisition proceedings under their jurisdiction.

As Arbitrators have been appointed under Section 3G(5) of the Act, suffice it to direct the concerned Arbitrator (District Collector, Warangal) to examine the petitioners' applications invoking his jurisdiction under Section 3G(5) of the Act, and pass an award with utmost expedition preferably within six months from the date of receipt of a copy of this Order.

The Writ Petition is, accordingly, disposed of. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(M. GANGA RAO, J)

Date: 16th October, 2017
cs