

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2290 of 2017

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1. Harihar Sah Son of late Bhagelu Sah, Resident of Village-Bishunpur Mangal,
P.O.-Rajla, District-Muzaffarpur.

.... Petitioner/s

Versus

1. The Union of India through Secretary, N.H. Division Department, Government of India, New Delhi through Project Director, National Highway Authority of India, Hajipur
2. The Project Director, National Highway Authority of India, Hajipur.
3. The State of Bihar.
4. The Collector, Muzaffarpur.
5. The District Land Acquisition Officer, Muzaffarpur
6. The Arbitrator-cum- Additional Collector, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mani Bhushan Kumar, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, SC-25
For the NHAI- : Mr. S.N. Pathak, Advocate
Mr. Anshay Bahadur Mathur, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-08-2018

Heard learned counsel for the parties.

The land of the petitioner was acquired by the respondent authorities under National Highway Act, 1956. Petitioner is not satisfied with the amount of Award decided by the authorities and has claimed an enhanced amount from different date as stated in paragraph-1 of the petition.

The petitioner has remedy under Sub-sections (5) and (6) of Section 3G of the National Highways Act, 1956 which reads as follows:



“(5) If the amount determined by the competent authority under Sub-section (1) of sub-section (2) 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.

(6) Subject to the provisions of this Act, the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) shall apply to every arbitration under this Act.”

The petitioner is at liberty to pursue his statutory remedy aforesaid.

With the aforesaid observation, this writ application stands disposed of.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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