

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.901 of 2018**

1. Netram Jaiswal Shri Awadhut Jaiswal, Aged About 85 Years R/o Village Ulda, Tahsil Kharsia, District Raigarh, Chhattisgarh. Through The Special Power Of Attorney Holder, Bhuneshwar Prasad Jaiswal, S/o Shri Dheer Ram Jaiswal, R/o Village Ulda, Tahsil Kharsia, District Raigarh, Chhattisgarh
2. Nakul Ram Jaiswal, Shri Awadhut Jaiswal, Aged About 80 Years R/o Village Ulda, Tahsil Kharsia, District Raigarh, Chhattisgarh. Through The Special Power Of Attorney Holder- Hemant Jaiswal, Son Of Shri Nakul Ram Jaiswal, R/o Village Ulda, Tahsil Kharsia, District Raigarh, Chhattisgarh

-----Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Bhawan, Mantralaya, New Raipur, Police Station Rakhi, District Raipur, Chhattisgarh
2. The Additional Commissioner, Bilaspur Division, Bilaspur, Chhattisgarh
3. The Executive Engineer, National High Way, Bilaspur Division, Bilaspur, Chhattisgarh
4. The Sub Divisional Officer (Rev.) And Land Acquisition Officer Cum Competent Officer, National Highway No. 200, (New 49), Kharsia, District Raigarh, Chhattisgarh. (Wrongly Mentioned As Champa, District Janjgir-Champa, Chhattisgarh.)
5. Kriparam Jaiswal, Late Padman, Aged About 80 Years
6. Ramkrishna Jaiswal, Shri Chhaviram, Aged About 60 Years
7. Hari Krishna, Shri Chhaviram Aged About 60 Years
8. Rama Bai Krishna Jaiswal Daughter of Shri Chhaviram Jaiswal, Aged About 57 Years
9. Parmanand, son of Jagdish, Aged About 56 Years
10. Lalita Bai, daughter of Shri Jagdish Jaiswal, Aged About 53 Years
11. Meera Bai, daughter of Shri Jagdish Jaiswal, Aged About 53 Years
12. Satyendra, S/o. Dhinbandhu, Aged About 29 Years
13. Nutan Kumari, D/o. Dinbandhu, Aged About 30 Years
14. Kanti, D/o. Dinbandhu, Aged About 50 Years

- 15.** Dulendra Kumar Jaiswal, son of Shri Kanhaiya Lal, Aged About 30 Years
- 16.** Veena Kumari Jaiswal, daughter of Shri Kanhaiya Lal, Aged About 30 Years
- 17.** Damodar, son of Shri Kanhaiya, Aged About 32 Years
- 18.** Kamla, D/o Shri Chandrashekhar, Aged About 55 Years
- 19.** Kailash, S/o. Komal, Aged About 40 Years

Respondents No.5 to 19 are R/o Village Ulda, Tahsil Kharsia, District Raigarh, Chhattisgarh

----- Respondents

For Petitioners	:	Mr.P.K.Patel, Advocate
For Respondents No.1 to 4	:	Mr.Arun Sao, Dy.A.G.
For Respondents No.5 to 19	:	Mr.M.K.Jaiswal, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

04/04/2018

- 1.** This writ petition has been filed by the petitioners against the order dated 16.1.2018 by which the Additional Commissioner, Bilaspur Division, Bilaspur has allowed the application filed by respondents No.5 to 19 under Section 3G (5) of the National Highways Act, 1956 (hereinafter called as "the Act of 1956")
- 2.** By virtue of the provisions contained in Section 3G(6) of the Act of 1956, against the said order, application under Section 34(2) of the Arbitration and Conciliation Act, 1996 (hereinafter called as "the Act of 1956") is maintainable.
- 3.** In view of that, the writ petition is disposed off with liberty to the petitioners to file application under Section 34(2) of the Act of 1996 read with Section 3G(6) of the Act of 1956. Certified copy of the

impugned order be returned to learned counsel for the petitioners after furnishing attested photocopy thereof.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-