

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1463 of 2018**

- Anil Goyanka S/o Shri Prem Chandra Goyanka Aged About 49 Years
R/o Gudhiyari, Near Mahavir School, Tehsil Raipur District Raipur
Chhattisgarh.

---- Petitioner**Versus**

1. Union Of India Through Secretary Ministry Of Road Transport And Highways, New Delhi
2. National Highway Authorities Of India Through Project Director, Project Implementation Unit, 5196, Behind BTI College, Shankar Nagar, Raipur
3. The Additional Collector Being Arbitrator Raipur Under NHAct Dist Raipur Chhattisgarh.
4. The Land Acquisition Officer Cum Sub Divisional Officer (Rev.) Raipur Chhattisgarh

---- Respondent

For Petitioner : Shri Akhilesh Kumar, Advocate.
 For Respondent No.2 : Smt. Fouzia Mirza, Advocate.
 For Respondent/State : Shri Shashank Thakur, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****25/09/2018 :**

1. The petitioner is aggrieved by the award passed by the Arbitrator appointed under Section 3-G (5) of the National Highways Act, 1956.
2. Sub-section (6) of Section 3-G makes provisions of the Arbitration and Conciliation Act, 1996 (for short 'the Act, 1996') applicable to every arbitration under the Act. Therefore, the subject award (Annexure-

P/6) passed by the Arbitrator can be assailed before the principal Civil Court of Original Jurisdiction under Section 34 of the Act, 1996.

3. The Writ Petition is not maintainable for prayer to set aside the arbitration award.
4. Let the petitioner move before the principal Civil Court of original jurisdiction as defined under Section 2 (1)(e) of the Act, 1996.
5. Accordingly, the writ petition is dismissed, subject however to the above observation.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve