

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 616 of 2018**

1. Balram Prasad S/o Late Maheshram Aged About 40 Years.
2. Ramchandra S/o Late Maheshram Aged About 36 Years.
3. Laxman Prasad S/o Late Maheshram Aged About 30 Years

All are R/o Village Sukli, Tahsil Janjgir, District Janjgir Champa,
Chhattisgarh

---- Appellants**Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. Union Of India Through Secretary, Ministry Of Road Transport And Highway, New Delhi
3. Chief Engineer, Public Works Department, National Highway Circle, Raipur, Chhattisgarh
4. Collector, Janjgir-Champa, District Janjgir-Champa, Chhattisgarh
5. Sub Divisional Officer (Revenue) Sub Division Champa, District Janjgir Champa, Chhattisgarh
6. Sub Divisional Officer, Public Works Department, National Highway, Sub Division Bilaspur, District Bilaspur, Chhattisgarh

---- Respondent

For Appellants
For Respondent/State

Ms. Meena Shastri, Advocate
Shri U.N.S. Deo, Govt. Advocate

Hon'ble Shri Justice Ajay Kumar Tripathi, CJ
Hon'ble Shri Justice Prashant Kumar Mishra

Judgment on Board

Per Ajay Kumar Tripathi, CJ.

10/08/2018

1. Heard learned counsel for the parties.
2. Learned Single Judge has committed no error by dismissing the writ petition, since there is a statutory remedy provided under Section 3G(5) of the National Highways Act, 1956 (for short 'the Act, 1956') with regard to the quantum of compensation or award, which is not acceptable to the appellants.
3. Accordingly, the writ appeal, *sans* merit, is liable to be and is hereby dismissed. Dismissal of the writ appeal will not come in the way of the appellants even now to avail the remedy within the frame work of the Act, 1956.

Sd/-

(Ajay Kumar Tripathi)
Chief Justice

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri