

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9864 of 2019

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Bala Kant Jha S/o Late Daya Nand Jha Resident of Village- Araria Sangram,
P.S.- Jhanjharpur, District- Madhubani (Bihar)

... .. Petitioner

Versus

1. The State of Bihar through the District Magistrate, Madhubani
2. The District Magistrate, Madhubani
3. The Additional Collector-cum-Arbitrator, NH-57 Project, Madhubani,
District- Madhubani
4. District Land Acquisition Officer-cum-Competent Officer, NH-57 Project,
Madhubani, District- Madhubani
5. The National Highway Authority of India through its Chairman, New Delhi
6. The Project Director, National Highway Authority of India, Darbhanga

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Baidya Nath Thakur Mr. Birendra Nath Chaudhary
For the Respondent State:		Mr. W.A. Khan, AC to SC-25
For the NHAI	:	Mr. S.N. Pathak

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 02-05-2019 Though the matter has been listed with certain office notes pointing out defects, considering the facts and circumstances, the same have been ignored and the matter has been heard on merits.

The petitioner has put to challenge an order dated 01.07.2017 passed by the Arbitrator-cum-Additional Collector, Madhubani in Case No.43 of 2010-11, apparently under Section 3G(5) of the National Highways Act, 1956.

An award of Arbitrator cannot be questioned in a proceeding under Article 226 of the Constitution of India. The



petitioner has remedy under Section 34 of the Arbitration and Conciliation Act, 1996.

This writ application is disposed of with the only observation that, if permissible, the petitioner shall be at liberty to question the said award in appropriate proceeding in accordance with law.

(Chakradhari Sharan Singh, J)

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