

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13125 of 2019

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Majidan Khatoon W/o Late Mohammad Reyajudin Ansari R/o Village-Darjibigha, P.S.-Madanpur, District-Aurangabad.

... .. Petitioner/s

Versus

1. THE Union of India through the Secretary the Secretary, Ministry of Transport, Govt. of India, New Delhi.
2. Secretary, Ministry of Transport, Govt. of India, New Delhi
3. National Highway Authority of India through the Director General, Ministry of Transport, Govt. of India, New Delhi
4. Director General, National Highway Authority of India, Ministry of Transport, Govt. of India, New Delhi.
5. Project Director, National Highway Authority of India, Ministry of Transport, Govt. of India, New Delhi.
6. Project Director, National Highway-2, Govt. of India, Dhanbad Zone (Jharkhand).
7. Chief Secretary, Govt. of Bihar, Patna
8. Arbitrator-Cum-Addl. Collector, Aurangabad.
9. Land Reforms Deputy Collector, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Baidya Nath Thakur
For the State	:	Mr.Raj Kishore Roy (GP-18)
For the NHAI		Mr. S.N.Pathak
		Mr. Anand Kumar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-07-2019 Though, this writ application has been listed under the heading “For Orders (on office notes)”, pointing out certain defect(s), considering the nature of relief, which the petitioner is seeking, the matter has been heard and is being disposed of by the present order.

The petitioner seeks quashing of an order dated



31.03.2017, passed by the Arbitrator-cum-Additional Collector, Aurangabad in Land Acquisition Case No. 109 of 2016-17.

Sub-section (6) of Section 3-G of the National Highways Act, 1956 (for short 'the Act'), under which the land, in question, has been acquired, clearly states that the provisions of Arbitration and Conciliation Act, 1996 shall apply to every arbitration under the said Act.

In such circumstance, this writ application, questioning the award of the Arbitrator, cannot be entertained. The remedy lies under the provisions of the Arbitration and Conciliation Act, 1996 to assail the impugned award of the Arbitrator.

This writ application is dismissed as not maintainable.

(Chakradhari Sharan Singh, J)

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