

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1294 of 2019**

Darshan Singh (Since Deceased) Through The Legal Heirs,

1. Charanjeet Singh Bharaj, Aged About 45 Years, S/o Late Darshan Singh
2. Tejinder Singh Bharaj S/o Late Darshan Singh Aged About 41 Years

Both are R/o - Behind Hotel Geeta, Telephone Exchange Road, Bilaspur District
Bilaspur Chhattisgarh

---- Petitioners

Versus

1. The State of Chhattisgarh Through The Secretary, Department of Revenue ,
New Mantralay, Mahanadi Bhawna, New Raipur Chhattisgarh
2. The Collector, District Bilaspur Chhattisgarh
3. The Union of India, Bharatiya - Rastriya Rajmarg Pradhikaran, Pot Parivahan
Through - Engineer In Chief, Public Works Department, National Highway
Raipur Chhattisgarh
4. The Sub Divisional Officer (Rev.) Cum Prescribed Authority, Land Acquisition
Officer, Katghora District Korba Chhattisgarh
5. The Executive Engineer, Public Works Department, National Highway Division,
Bilaspur District Bilaspur Chhattisgarh
6. The Upper Commissioner / Arbitrator, Bilaspur Division Bilaspur Chhattisgarh

---- Respondents

For Petitioners	:	Shri P.K. Patel, Advocate
For Respondents/State	:	Shri Sudeep Verma, Dy. GA
For Respondent No.3/UOI	:	Shri B. Gopa Kumar, ASG

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/08/2019

1. Heard.

2. Grievance of the petitioners is that initially an award was passed on 20.02.2017 which was subject of adjudication under Section 5 of the National Highway Act, 1956. Thereafter, on 03.10.2018 the arbitrator has passed the order and has directed that the fresh demarcation be made in respect of the subject land in question and afresh award may be passed.
3. Learned counsel for the petitioners would submit that despite such award is passed and the representation has been made to the SDO (Land Acquisition), the compensation is not paid.
4. Learned State counsel submits that since the award has been passed under the Arbitration Act, therefore, alternative remedy is available to the petitioner.
5. Considering the facts, the concerned land acquisition officer shall make payment of the amount awarded by the arbitrator within a period of one month from today. The recovery of the interest and petitioners' entitlement to interest on the awarded amount would be left open to him to be recovered from the respondent.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge