

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2094 of 2019

1. Gagandeep Singh @ Gagandeep Singh Bagga, S/o Shri Jagdish Singh Bagga, Aged About 34 Years, Caste-Sikh, R/o Village Shivnandanpur (Main Road Bishrampur), Police Station And Post-Bishrampur, District : Surajpur, Chhattisgarh
2. Ikjot Singh Bagga, S/o Shri Jagdish Singh Bagga, Aged About 25 Years, Caste- Sikh, R/o Village- Shivnandanpur (Main Road Bishrampur), Police Station And Post-Bishrampur, District : Surajpur, Chhattisgarh

---- Petitioners

Versus

1. The Union of India Through The Ministry Of Road And Transport , Shastri Bhawan, New Delhi
2. The National High Way Authority Of India Through Its Director, High Way No. 43 (Old No.78), Project Implementation Unit, House No. A/7, VIP State, Shankar Nagar, Raipur, District : Raipur, Chhattisgarh
3. The Project Director DGM (T), National High Way Authority, Project Implementation Unit- Ambikapur, Behind B S N L Office, Near New Bus Stand, Ambikapur, District : Surguja (Ambikapur), Chhattisgarh
4. The Chief Engineer, Department Of Public Works, National High Way No. 43, Pension Bada, N H Campus, Raipur, District : Raipur, Chhattisgarh
5. The Additional Commissioner, Surguja Division (Arbitrator U/s. 3(G) (5) Of National Highway Act, 1956), District : Surguja (Ambikapur), Chhattisgarh
6. The Collector, District : Surajpur, Chhattisgarh
7. The Land Acquisition Officer Cum Sub Divisional Officer (Rev.) Surajpur, District : Surajpur, Chhattisgarh

8. The Executive Engineer, Department of Public Works, National High Way, Behind B S N L Office, Near Bus Stand, Ambikapur, District : Surguja (Ambikapur), Chhattisgarh

---Respondents

For Petitioners	:	Mr. Vivek Bhakta, Advocate
For State	:	Mr. Chandrsh Shrivastava, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

11.11.2019

Heard.

1. The case of the petitioners is that the land of the petitioners were acquired for construction of road and pursuant to such acquisition, the award was passed by Respondent No. 7 on 28/12/2017 vide Annexure P-3 The petitioners being aggrieved by quantum of the award have referred the case to the Arbitrator under section 3-G sub section (5) of National Highway Act, 1956 wherein the award was passed on 30/06/2018 and despite such award, the amount of compensation has not been paid to the petitioners. It is further submitted that the award of the arbitrator dated 30/06/2018 has not been under challenge, therefore the respondents may be directed to make good the payment of compensation amount.
2. Perused the documents. Annexure P-1 is the order of the Additional Commissioner, who in exercise of power under section 3-G sub section 5 of the Act, 1956 has passed the award on 30/06/2018. Considering the single point raised by the petitioners that though the award has been passed, yet the amount of compensation has not been paid, Respondents 2 & 7 are directed to make good the

payment of compensation pursuant to the award dated 30th June 2018 (Annexure P-1) within a further period of 60 days. The petitioners shall also be at liberty to claim the interest, in any, in further appropriate proceedings.

3. With the above direction/observation, this Writ Petition stands finally disposed-off

**Sd/-
(P. Sam Koshy)
Judge**