

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2890 of 2019

Pramod Kumar Agrawal S/o - Nathulal Agrawal Aged About 50 Years R/o - Ketka Road, Surajpur, District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh
--- Petitioner

Versus

1. Union of India through Its Secretary, Ministry of Road, Transport and Highways, Transport Bhawan, Parliament Street, New Delhi-01, District : New Delhi, Delhi
2. National Highway Authority of India, Through Authorized Officer, G 5 And 6, Sector 10 Dwarka, New Delhi-110075 filing 36, District : New Delhi, Delhi
3. The Chief Engineer, Public Works, Department, National Highway Zone, Pension Bada Raipur District : Raipur, Chhattisgarh
4. The State of Chhattisgarh through Its Secretary, Department of Revenue and Disaster Management, Mahanadi Bhawan, Atal Nagar, District Raipur District : Raipur, Chhattisgarh
5. The Additional Commissioner, Sarguja Region, Sarguja, District : Surguja (Ambikapur), Chhattisgarh
6. The Collector, District : Surajpur, Chhattisgarh
7. The Sub-Divisional Officer (Revenue) and Competent Authority District Surajpur Chhattisgarh.
--- Respondents

For the Petitioners : Mr. Ankit Singhal, Advocate

For Respondent No.1 : Mr. Chetan Kumar, Advocate on behalf of Mr. B. Gopa Kumar, Advocate

For the State/R-1 to R-7 : Mr. Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04-09-2019

1. The case of the petitioner is that the land of the petitioner was 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-6. The petitioner being aggrieved by quantum of the

award has referred the case to the Arbitrator under section 3-G subsection (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 petitioner. 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 documents. Annexure P-10 is the order of the Additional Commissioner who in exercise of power under section 3-G subsection 5 of the Act, 1956 has passed the award on 30.06.2018. Considering the single point raised by the petitioner 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-10) within a further period of 60 days. The petitioner shall also be at liberty to claim the interest, if any, in further appropriate proceedings.
3. With the above direction/observation, this writ petition stands finally disposed of.

Sd/-

(Goutam Bhaduri)
Judge