

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3392 of 2019**

1. Pawan Kumar, S/o Ishwar, Aged About 37 Years, Caste Tamboli
2. Kush Ram, S/o Ishwar, Aged About 34 Years, Caste Tamboli
3. Somnath, S/o Ishwar, Aged About 32 Years, Caste Tamboli
4. Rameshwar, S/o Chulbul Aged About 50 Years, Caste Tamboli
5. Laxmin D/o Chulbul, Aged About 47 Years, Caste Tamboli

All are R/o Village Sakreli Naya Baradwar, Tahsil Sakti, District Janjgir Champa Chhattisgarh.

---- **Petitioners**

Versus

1. State Of Chhattisgarh, Through The Collector, Janjgir, District Janjgir Champa Chhattisgarh.
2. Executive Engineer, National Highway Bilaspur, Division, Bilaspur, District Bilaspur Chhattisgarh.
3. The Sub Divisional Officer And Competent Authority National Highway No. 200 (Naya 49), Champa, District Janjgir Champa Chhattisgarh.
4. Upper Commissioner, Bilaspur Division, Bilaspur, District Bilaspur Chhattisgarh.
5. Parmesher S/o Chulbul, Aged About 54 Years, Caste - Tamboli, R/o Village Sakreli, Naya Baradwar Tahsil Sakti, District Janjgir Champa Chhattisgarh.

---- **Respondents**

For Petitioners : Mr. Pushpendra Kumar Patel, Advocate

For State/ Respondents : Mr. Kunal Das, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

24.09.2019

Heard.

1. The case of the petitioners is that their land was acquired for widening of the National Highway for which initially an award was passed on 30.07.2016; thereafter, the petitioners were not satisfied with the amount of award, as

such, he referred the matter under Section 3G(5) of the National Highways Act, 1956 to the Arbitrator and the Arbitrator thereafter on 15.11.2017 has passed the award with a certain direction to evaluate the quantum of compensation. However, till date the said award has not been carried out, therefore, the petitioners submits that they have made a representation on 24.03.2018 to the S.D.O. and the S.D.O. till date has not complied the order of the Additional Commissioner, Bilaspur/ the Arbitrator, who has passed the order.

2. Perusal of the record would show that an award under Section 3G(5) of the National Highways Act has been passed by the Arbitrator on 15.11.2017 and certain directions have been issued. Therefore, the respondent No.3 is directed to comply with such order of award dated 15.11.2017 and evaluate the amount of compensation and pay the same to the petitioners. The said exercise may be carried out within a period of 60 days from the date of receipt of a copy of this order. It is further made clear that the petitioners shall be at liberty to claim the interest at an appropriate proceeding, if so advised, in future.
3. With the aforesaid observation/ direction, the petition stands disposed of.

Sd/-
Goutam Bhaduri
Judge