

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2279 of 2020**

1. Sushil Kumar Patre S/o Shri Ganga Prasad Patre Aged About 61 Years
2. Smt. Triveni Suman D/o Shri Heeraram Suman Aged About 40 Years

Both R/o Village And Post Darrighat, Tahsil Masturi, District Bilaspur
Chhattisgarh

---- Petitioners**Versus**

1. National Highways Authorities Of India Through The Project Director, VIP Estate, Shankar Nagar, Raipur District Raipur Chhattisgarh
2. The Land Acquisition Officer Cum Sub Divisional Officer Bilaspur Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Prafull N. Bharat, Advocate
For Respondent No.1	:	Mr. Ramakant Mishra, Asst. S.G.
For State	:	Mr. Vivek Ranjan Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****07/10/2020**

1. The grievance of the petitioners in the present writ petition is that an award against the acquisition of the petitioners' property was passed under the National Highways Act, 1956 on 16.05.2016.
2. Against the said award, the petitioners being dissatisfied with the quantum of compensation had preferred an Arbitration under Section 3-G(5) of the National Highways Act, 1956. That the Arbitrator vide order dated 31.10.2017 has modified the award and has asked the respondent No.2 to recalculate the

compensation payable to the petitioners. This however has not been complied with by the respondents, which has led to the filing of the present writ petition.

3. At this juncture, learned counsel for the petitioners submits that so far as the information that he has, the respondent No.2 has made the calculation in terms of the order of the Arbitrator and has forwarded the same to the respondent No.1 for releasing of the difference of amount.
4. Mr. Ramakant Mishra, Asst. S.G. submits that the writ petition itself can be disposed of directing the authorities to ensure compliance of the order passed by the Arbitrator on 31.10.2017, if the same has till date not been questioned before any other authority of law.
5. Given the said submission by the counsel for the parties, the writ petition itself at this juncture stands disposed directing the respondent No.1 to ensure that the compensation as ordered by the Arbitrator on 31.10.2017 in respect of the property belonging to the petitioners is calculated and released at the earliest preferably within a period of 3 months from the date of receipt of the copy of this order.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved