

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 54 of 2020**

Dr. Satish Singh S/o Shri Lal Vijay Pratap Singh Aged About 50 Years R/o.
 Village- Chanwaridand, Tahsil Manendragarh, District Koriya,
 Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Ministry Of Revenue And Disaster Management, Mantralaya Mahanadi, Bhawan, Raipur, Chhattisgarh
2. The Sub Divisional Officer Cum Land Acquisition Officer Baikunthpur District Koriya, Chhattisgarh
3. Chief Engineer Department Of Public Works, National Highways, Raipur Division, Raipur, Chhattisgarh
4. The National Highways Authority Of India, Ministry Of Road, Transport and National Highways, Govt. Of India, New Delhi., District : New Delhi, Delhi

---- Respondents

For Petitioner	:	Mr. Kshitij Sharma, Advocate
For State	:	Mr. V. R. Tiwari, Additional AG along with Mr. Ishan Verma, PL
For Res. No.4	:	Ms. Sameeksha Gupta, on behalf of Mr. D. K. Wankhede, Advocates.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****14/01/2020**

1. The dispute raised by the petitioner in the present writ petition is non entertaining of the arbitration case which the petitioner filed challenging the award passed by the Sub Divisional Officer dated 04.10.2018 in land acquisition proceedings whereby the land belonging to the petitioner situated at Khasra No. 428/1, admeasuring 0.520 Hectares, P.H. No. 25, Revenue Circle – Patna, Tahsil Baikunthpur, Distt. Koriya was acquired.

2. According to the petitioner after the award passed by the Sub Divisional Officer under Land Acquisition Act, the petitioner had approached the Additional Commissioner, Surguja to act as an arbitrator so far as his grievance in respect of the compensation awarded under Section 3G(5) of The National Highways Act, 1956. The Additional Commissioner, Surguja however orally refused to entertain the application as he has not been notified for the same.
3. During the course of the hearing, today, learned Assistant Solicitor General for the respondent No.3 has produced a notification dated 19.12.2019 whereby a fresh notification has been issued by the Government of India whereby the Divisional Commissioner for each of the revenue Divisions in the State to act as an arbitrator under Section 3G(5) of The National Highways Act, 1956.
4. Given the fact that respondents have now appointed the Divisional Commissioner, Surguja in the present writ petition to act as an arbitrator the writ petition itself can be disposed of at this juncture giving liberty to the petitioner to approach the Divisional Commissioner, Surguja to act as arbitrator under Section 3G(5) of the Act of 1956 to arbitrate upon the order passed by the Sub Divisional Officer dated 04.10.2018.
5. With the aforesaid observations, the present writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge