

17.08.2021
rc/ct.no.10
Item No.13

WPA No. 1555 of 2020
Sri Birendra Nath Jana & Anr.
Versus
Union of India & Ors.

(VIA VIDEO CONFERENCE)

Mr. Chittapriya Ghosh	
Mrs. Priyanka Saha	...for the petitioners
Mr. Chandi Charan De	
Mrs. Chandana Ghosh	for the State
Mrs. Susmita Saha Dutta	for the UOI

The grievance of the petitioner is directed in respect of a proceeding initiated for acquisition of the petitioner's premises under the National Highway Act, 1956.

Advocate appearing on behalf of the petitioner submits that the petitioner assails an order passed under Section 3C of the National Highway Act, 1956.

Mr. De, Advocate appearing on behalf of the State-respondents submits that during the pendency of this petition the final award has been passed in respect of the subject acquisition proceeding and the petitioner has participated in the same.

In view of the fact that a final arbitral award has been passed in respect of the said acquisition proceeding, I am of the view that this petition is not maintainable. The petitioner has an alternative efficacious statutory remedy and should avail of the same.

Hence, WPA No. 1555 of 2020 stands dismissed.

There shall be, however, no order as to costs.

Liberty is granted to the petitioner to challenge the final award in accordance with law before the appropriate authority and can take all points available to them in accordance with law.

(Ravi Krishan Kapur,J)