

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

113

CWP-12653-2021 (O&M)

Date of decision: 14.07.2021

PARVINDER SINGH SEKHON

..Petitioner

Versus

NATIONAL HIGHWAYS AUTHORITY OF INDIA AND ANR

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rajesh Narang, Advocate for the petitioner.

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner's land has been acquired by the Central Government in the exercise of powers available under the National Highways Act, 1956 (in short 'the Act'). The petitioner appears to be dis-satisfied with the amount awarded. He also claims that there is a dispute about the entitlement of the amount. Section 3G (5) of the Act enables either of the parties to apply to the Central Government for appointment of the Arbitrator for re-determination of the amount, if the amount determined by the competent authority is not acceptable to them. In case, there is a dispute with regard to apportionment of the amount or to any person to whom the same or any part thereof is payable, the interested person can apply to the competent authority to refer the dispute to the Principal Civil Court of original jurisdiction within the limits of whose jurisdiction the land is situated. Thus,

the petitioner has effective alternative remedies as provided in the statute.

Through this writ petition, the petitioner assails the correctness of the award passed by the competent authority under Sections 3G and 3H of the Act. As already noticed, the statute already provides for an alternative remedy.

Hence, no ground to exercise the extraordinary writ jurisdiction is made out. The petitioner is relegated to the alternative remedy.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

14.07.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE