

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

CWP-21930-2021 (O&M)

Date of decision: 29.10.2021

M/s Ujjwal Associate and another

...Petitioners

Versus

Union of India and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Naresh Kumar, Advocate for the petitioners

ANIL KSHETARPAL, J (Oral)

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

Through this writ petition, the petitioners pray for issuance of a writ in the nature of Mandamus to direct the respondents to deposit the amount of compensation in accordance with award no.77 dated 07.01.2019. In order to utilize the land for constructing the National Highway, some part of the land owned by the petitioners is alleged to have been acquired in exercise of powers under the National Highways Act, 1956. It is not in dispute that after the competent authority announced the award on 07.01.2019 on the request of the National Highway Authority, the matter was referred to the Arbitrator who has upheld award no.77 dated 07.01.2019.

As per the provisions of the Arbitration and Conciliation Act, 1996, the award passed by the Arbitrator is executable/enforceable in accordance with Section 36 of the Arbitration and Conciliation Act, 1996, before the Civil court.

Keeping in view the aforesaid facts, the petitioners are relegated to the remedy under Section 36 of the Arbitration and Conciliation Act, 1996.

Disposed of.

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

29.10.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE