

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 28434 of 2022

Md. Babuli Raja

.....

Petitioner

Mr. A.K. Sahoo, Advocate

Vs.

**National Highways Authority of
India, Keonjhar and others**

.....

Opposite Parties

Mr. A. Das, Advocate(O.P.1)

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE G. SATAPATHY

ORDER

02.11.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. A.K. Sahoo, learned counsel for the petitioner and Mr. A. Das, learned counsel appearing for the opposite party no.1-NHAI.

3. The petitioner claims higher compensation in view of the fact that similarly situated persons have been granted higher compensation.

4. Mr. A. Das, learned counsel appearing for the opposite party no.1-NHAI stated that the remedy is available for the petitioner under Section 3(G)(5) of the National Highways Authority of India Act, 1988 so that the benefit can be extended to the petitioner.

4. Having heard learned counsel for the parties and without expressing any opinion on the merits of the case, since the remedy is available under Section 3(G)(5) of the National Highways Authority of India Act, 1988, the petitioner is permitted to pursue his remedy in accordance with law. Needless to say while considering the grievance of the petitioner for higher compensation, opposite party no.1 shall take into consideration the fact that if similarly situated persons have been extended the

higher compensation, the petitioner should not be discriminated.

5. With the above observation & direction, the writ petition stands disposed of.

6. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Alok/Subhasmita

(G. SATAPATHY)
JUDGE

