

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6179 of 2023

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Anil Tiwari son of Shambhu Tiwari Resident of village-Nagmatia, P.S.-
Madanpur, District- Aurangabad.

... .. Petitioner/s

Versus

1. The National Highways Authority of India through the Chief General Manager, Regional Office, National Highways Authority, Patna.
2. The Chief General Manager, Regional Office, National Highways Authority, Patna.
3. The Project Director, National Highways Authority of India, Sasaram, Rohtas.
4. The Regional Manager, National Highways Authority of India, Patna.
5. The Competent Authority-cum-Deputy Collector, Land Reforms (CALA), Aurangabad.
6. The State of Bihar through the Divisional Commissioner, Magadh Division, Gaya.
7. The Collector-cum-District Magistrate, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Dubey, Advocate Mr. Suraj Kumar, Advocate
For the Respondent/s	:	Mr. Sajid Salim Khan, (SC-25)
For the NHAI	:	Mr. S.N. Pathak, Advocate Mr. Rajesh Kumar Shandilya, Advocate Mr. Vinayak Harshvardhan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 07-05-2024 Heard the parties.

2. The present writ petition has been preferred for the
grant of following relief/s:-

*“That this application is preferred for
issuance of an appropriate writ, preferably
in the nature of mandamus, commanding
upon the respondent Authority to pay to the*



*petitioner the amount of Rs. 3287866/-
(Rupees Thirty two lacs eighty seven
thousand eight hundred sixty six) being the
amount of arbitral award made in his favour
by the Competent Authority-cum-Deputy
Collector, Land Reforms, Aurangabad in
L.A. Case No.77/2016-17 for acquisition of
the land of the petitioner appertaining to
Khata No.192, Plot No.22, Area 0.0450
Hectare, P situated in village-Madanur,
Thana No.785 in the district of Aurangabad.*

*Further, it is for grant of any other
relief/reliefs for which the petitioner may be
found entitled to in the facts and
circumstances of the case.”*

3. A counter-affidavit on behalf of respondent No. 3
has come and paragraph-4 reads as follows:-

*“4. Without prejudice to the above
made submissions it is submitted that the
award passed by the learned Arbitrator is
executable before the concerned Executing
Court and therefore when the original writ*



petitioners had a statutory remedy available to execute the award by initiating the execution proceedings before the concerned Executing Court, this Hon'ble High Court ought not entertain the writ petitions under Article 226 of the Constitution of India to execute the award passed by the learned Arbitrator, reliance is placed upon NHAI vs. Sheetal Jaidev Vade & Ors. [CIVIL APPEAL NO. 5256 of 2022, Supreme Court]”

4. Learned counsel for the petitioner submits that he shall be approaching the Executing Court for the redressal of his grievance.

5. Granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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