HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 21277/2026
CNR: RJHC021003462026 | URN: CW / 44664U / 2026

1. Hetram S/o Kaalia @ Kaluram, Aged About 83 Years, R/o Revenue Village Ranoth, Tehsil Mundawar, District Khairthal-Tijara (Old District Alwar), Rajasthan.
2. Lalaram S/o Lahiri, Aged About 70 Years, R/o Revenue Village Ranoth, Tehsil Mundawar, District Khairthal-Tijara (Old District Alwar), Rajasthan.

----Petitioners

Versus

1. Union of India, through its Secretary, Ministry of Road Transport & Highways, Government of India, New Delhi.
2. State of Rajasthan, through District Collector, Alwar (Rajasthan).
3. National Highway Authority of India, through Project Director, Project Implementation Unit, Sohna, Address Interchangeat KM 0+000 of DVE, Gurugram Sohna Road, Gurugram-122102.Email:piusohna@nhai.org
4. Competent Authority Land Acquisition Cum Additional District Collector (First), Alwar, District Alwar (Rajasthan).

----Respondents

For Petitioner(s) : Mr. M.S. Sharan
For Respondent(s) :

HON'BLE MR. JUSTICE ANAND SHARMA
Order

26/10/2026

1. By way of filing this writ petition, the petitioners have prayed following relief:

> *"It is, therefore humbly prayed that this writ petition may kindly be accepted and allowed and the record pertaining to the case may be called for from Respondent No.4 and:-*
> *i) By issuance of appropriate writ, order or direction to the Respondents to pay the Compensation for the Fruit Trees standing upon the acquired land*

Digitally signed by
Neeru Bala
Date: 2026.10.28
10:37:13 IST

(400 Lemon Trees) of the Petitioners bearing Khasra No.534 admeasuring 0.9960 Hectare situated at Revenue Village - Ranoth, Tehsil - Mundawar, District-Khairthal-Tijara (old District Alwar), Rajasthan, under Section 3G of the National Highways Act, 1956 read with Section 29 of the Act of 2013.

ii) in alternate, by issuance of appropriate writ, order or directions to the respondents to pay the Compensation of the Fruit Trees (400 Lemon Trees) standing upon the acquired land of the Petitioners along with incidentals such as drip irrigation, fencing, cement pole etc; which are standing upon the land acquired by the Central Government bearing Khasra no. 534 admeasuring 0.9960 Hectare situated at Village Ranoth, Tehsil Mundawar, District Khairthal-Tijara (old District Alwar), Rajasthan.

iii) By issuance of appropriate writ, order or directions restrain the Respondents from taking possession of the acquired land bearing Khasra admeasuring 0.9960 Hectare and Khasra no. 536 admeasuring 0.0390 Hectare situated at Village Ranoth, Tehsil Mundawar, District Khairthal-Tijara (old District Alwar), Rajasthan, before complying with Section 3G regarding determination of compensation and Section 3H regarding disbursement of compensation under the National Highways Act, 1956 with respect to 400 Lemon Trees and incidentals of the Petitioners.

iv) Any other writ, order or direction which your Honor may deem fit and proper in favour of Petitioners may also be passed in the interest of justice.

iv) Cost of the petition may awarded to the petitioners. "

2. Heard learned counsel for the petitioner and perused the record.

3. The fundamental grievance of the petitioners is that although compensation in respect of land acquired by the respondents has been given to the petitioners, yet the legitimate compensation for fruit trees/other trees standing on the land has not been given.

4. This Court finds that by way of filing this writ petition, the petitioners are virtually seeking enhancement of compensation for which the proper authority has been constituted in the provisions of Sections 3G and 3H of National Highways Act, 1956. No justified reasons has been put forward by the petitioners for avoiding the alternative remedy and for directly approaching this Court by way of filing this writ petition under Article 226 of the Constitution of India.

5. Learned counsel for the petitioners relies upon the judgments in the case of **Harbanslal Sahnia & Anr. Vs. Indian Oil Corporation Ltd. & Ors.; (2003) 2 SCC 107 & M/s. Hindustan Petroleum Corporation Limited & Ors. Vs. Dharamnath Singh & Ors.; (2024) 0 Supreme (SC) 500** in order to show that even availability of alternative remedy would not debar maintainability of the writ petition.

6. This Court finds that the exceptions given in the aforesaid judgments are not at all attracting in the instant writ petition. Although, there is no dispute in the ratio laid down in the aforesaid judgments given by Hon'ble Supreme Court, yet in the facts and circumstances of the case, the aforesaid judgments are not attracted.

7. In view of above alternative remedy available to the petitioners, this Court does not find any ground to interfere in the instant writ petition and the same is hereby dismissed.

8. Pending application(s), if any, shall also stand disposed of.

(ANAND SHARMA),J

D-A/13/NEERU