



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPMS/700/2023</u> Rameshwar Prasad Mamgai --Petitioner Versus Union of India and others --Respondent <u>Hon'ble Manoj Kumar Tiwari, J.</u> Ms. Bhawna Kanwal, Advocate, holding brief of Mr. Pankaj Tangwan, Advocate for the petitioner. 2. Mr. Manoj Kumar, Standing Counsel for the Union of India. 3. Mr. S.K. Mehta, Addl. CSC and Mr. Suyash Pant, Standing Counsel for the State of Uttarakhand. 4. Mr. Raunak Pant, Advocate, holding brief of Mr. Naresh Pant, Advocate for the NHAI. 5. Petitioner's land was acquired for widening of national highway by invoking provisions of National Highways Act, 1956. Competent Authority, Land Acquisition determined the compensation payable to petitioner. Dissatisfied with the said determination, petitioner approached the Arbitrator under Section 3G(5) of National Highways Act. 6. The award given by the Arbitrator on 18.05.2022 is on record as Annexure-1 to the writ petition. Perusal of the said award reveals that Arbitrator held that petitioner alone is entitled to compensation for the



			land acquired. 7. Learned counsel appearing for the petitioner contends that the amount payable to petitioner was released in favour of some other persons, who had no right, title or interest over acquired land. Thus, she submits that the authorities be directed to give compensation to petitioner with 12% interest. 8. Learned counsel for respondents, however, submit that since there is an arbitral award in favour of petitioner, therefore, petitioner has the remedy of filing application under Section 36 of Arbitration and Conciliation Act, 1996. 9. This Court finds substance in the said contention. Since there is an arbitral award in favour of the petitioner, therefore, same can be enforced under Section 36 of Arbitration and Conciliation Act. 10. The writ petition is, accordingly, disposed of with liberty to petitioner to approach the appropriate forum. Application, if filed by petitioner within three weeks, appropriate authority shall make endeavor to decide the said application, as early as possible, preferably within six months from the date of presentation of certified copy of this order. (Manoj Kumar Tiwari, J.) 12.08.2026 Navin
--	--	--	--