SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPMS/1365/2023 Keshwanand Dabral --Petitioner **Versus** Union Of India Through Ministry Of Road Transport --Respondent **Hon'ble Manoj Kumar Tiwari, J** 1. Mr. A.M. Saklani, learned counsel for the petitioner. 2. Mr. Suyash Pant, learned Standing Counsel for the State of Uttarakhand. 3. Mr. Raunak Pant, Advocate holding brief of Mr. Naresh Pant, learned counsel for the respondent-NHAI. 4. According to petitioner, his land was acquired for widening of National Highway No. 309, however, compensation due to him has not been paid. 5. By means of this writ petition, petitioner has sought the following reliefs:- (i) Issue a writ, order or direction in the nature of Mandamus directing the respondents to pay the compensation to the petitioner in lieu of his land damaged due to debris fallen from the road during the process of widening of National Highway 309 accordance with the provision of National Highway Act 1956, read with the provision of The Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013

(ii) Issue any suitable order or direction in the nature of mandamus, directing the respondents to remeasure the land of petitioner properly and to pay the compensation of the land accordance with the provision of law.

(iii) Issue a writ, respondents to order or direction, directing the decide the representation of petitioner contained in (ANNEXURE NO. 4 to this writ petition) within stipulated time.

6. This Court cannot determine the amount payable as compensation to the petitioner, and compensation can only be determined by the Competent Authority, Land Acquisition under Section 3G(1) of The National Highways Act, 1956 and anyone dissatisfied with the determination made by the Competent Authority, he can approach the Arbitrator under Section 3G(5) of the said Act.

7. Learned counsel for the petitioner submits that the Competent Authority Land Acquisition has determined the amount payable as compensation, however, petitioner is not satisfied with that amount.

8. If that is so, then the only remedy available to the petitioner is to approach the Arbitrator, as per provisions of the National Highways Act, 1956.

9. The writ petition is, accordingly, disposed of with the aforesaid terms.

(Manoj Kumar Tiwari, J)
24.08.2026

Aswal

NITI RAJ SINGH ASWAL