

**IN THE COURT OF THE XI ADDL. CITY CIVIL & SESSIONS JUDGE,
BENGALURU CITY (CCH-8)**

PRESENT

**SRI. B.DASARATHA, B.A., LL.B.,
XI Addl. City Civil & Sessions Judge,
Bengaluru City.**

DATED THIS THE 7th DAY OF AUGUST, 2026

A.P. No.2/2023

Petitioner:

Smt. Ameenbi,
Since Dead Rep. by her LR:-
Sri. Syed Mohammed
S/o. Late Mehaboob,
Aged about 35 years,
R/a. No.17/335, 2nd Main Road,
Venkatala, Yelahanka,
Bengaluru North – 560 064.

(By Adv. Sri. Murali S.)

Vs.

Respondents:

- 1. The Project Director and
General Manager (Technical),
National Highway Authority of India,
Project Implementation Unit,**

Sy. No.13, 14th km,
Bengaluru – Tumakur Road,
Nagasandra, Bengaluru – 560 073.

2. **The Special Land Acquisition Officer
& Competent Authority,**
NHAI, NH-7, No.678/3,
Neerubhavi Kempanna Layout,
Hebbal, Bengaluru – 560 024.

3. **The Arbitrator &
Special Deputy Commissioner,**
Bengaluru Urban District,
Office at Deputy Commissioner,
Bengaluru – 560 009.

(R1 & R2 by Adv. Sri. Prakasha V. Angadi
R3 - Arbitrator)

ORDERS

This petition is filed by the petitioner under Section 34 of the Arbitration and Conciliation Act, 1996 r/w Section 3G(6) of the National Highways Act, 1956, praying to set aside the Arbitral Award dated 22.12.2020 passed by the Special Deputy Commissioner and Arbitrator in No.LAQ/ARB/NH-7/CR.126/2012-13 and for enhancement of

compensation.

2. After dismissal of I.A. No.1 filed for condonation of delay, the maintainability of the present petition does not survive.

3. The petition has been presented beyond the limitation prescribed under Section 34(3) of the Arbitration and Conciliation Act. This court has no jurisdiction to entertain the petition after expiry of the statutory period.

4. Even otherwise, the grounds urged in the petition substantially relate to inadequacy of compensation, market value of the acquired property and alleged failure of the Arbitrator to award higher compensation. Such grounds do not by themselves constitute grounds for setting aside an Arbitral Award under Section 34(2) of the Arbitration and Conciliation Act.

5. The jurisdiction of this court under Section 34 is

supervisory and not appellate. This court cannot reassess the market value or direct enhancement of compensation merely because another view is possible. No ground falling under Section 34(2) has been established by the petitioner. Accordingly, the petition is liable to be dismissed. Hence, this court proceed to pass the following:

ORDER

Petition filed by the petitioner under Section 34 of the Arbitration and Conciliation Act, 1996 r/w Section 3G(6) of the National Highways Act, 1956, is hereby **dismissed as barred by limitation.**

Consequently, the Award dated **22.12.2020** passed by the Special Deputy Commissioner and Arbitrator in **No.LAQ/ARB/NH-7/CR.126/2012-13** stands undisturbed.

Parties shall bear their own costs.

(Dictated to the Stenographer Grade-I directly on computer, typed by her, corrected and then pronounced by me, in the open court, this the 7th day of August, 2026)

(B.DASARATHA)
XI ADDL. CITY CIVIL & SESSIONS JUDGE
BENGALURU CITY.