

IN THE COURT OF CIVIL JUDGE(SNR. DIV.)- I, HAZARIBAGH

Misc. Case No. 146/18

S/ N	Date of order of proceeding	Order with signature of the court	Office notice taken with date
1	2	3	4
	24.4.2026	Attendance of petitioner is filed through Lawyer. The record is fixed for order on the petition dt. 20.8.25 filed on behalf of petitioner U/O XIII Rule 10(1) read with section 151 of CPC. It has been submitted by way of petition dt. 20.8.25 filed on behalf of petitioner stating therein that instant case has been filed against order of Ld.Arbitrator U/s 34 of Arbitration and Conciliation Act. The petitioner is Project Implementation Unit through it s Project Director , NHAI constituted by Union of India for constructionof Highways in different parts of the country. The NHAI is an autonomous agency of Govt.of India, responsible for management of National Highway in India. It is a nodal agency of Ministry of Road Transport and Highways. The NHAI was created through the promulgation of the NHAI Act and section 16(1) of the Act states that the function of NHAI is to develop, maintain and manage the national highway. The lands under dispute was acquired by the NHAI for the construction and widening of N.H. no.2. The DLAO cum competent authority Land Acquisition passed award for compensation and the compensation for the awarded amount has been already sent to the raiyats through RTGS/NEFT. It is further submitted that raiyat after receiving the awarded amount filed Arbitration Case	

no.3/2015 before Addl.Collector, NH No.2 for enhancement of awarded amount. Being aggrieved and dissatisfied with the order of Ld.Addl.Collector in Arbitration case no. 3/2015 dt.11.6.2018 the petitioner filed this Civil Misc. for setting aside the arbitral award passed U/s 34 of Act. It is evident from record that apart from the proceedings and other important information, following important evidences are kept on record in the above mentioned arbitration case which are necessary for adjudicating the present case.

(a) The order and award passed by Ld.DLAO cum Competent Authority Land Acquisition, Hazaribag

(b) Memo no.769 dt.28.2.2018 issued by the Dy.Commissioner, Hazaribag

(c) Report of 7 Member Committee constituted by the Dy.Commissioner, Hazaribag

(d) Pleading before the Addl.Collector cum Arbitrator , NH2, Hazaribag of raiyat (Claimant), Ld.DLAO cum cum Competent Authority Land Acquisition, Hazaribag and the NHAI (e) Relevant notification and publication U/s 3A and 3D of NHAI Act.

It is further contended that the records of lower court below are relevant and important for proper adjudication of the case. Hence, it is prayed to call for records of Arbitration Case no.3/2015.

Heard as well as perused the record. The instant case has been filed U/s 34 of Arbitration And Conciliation Act for setting aside the order passed by Ld.Addl.Collector in Arbitration case no. 3/2015 dt.11.6.18. At present, there is only the certified copy of

order order passed by Ld.Addl.Collector in Arbitration case no. 3/2015 in the record. For better adjudication of the case, it is necessary that all the relevant documents are on record. Hence, in the interest of justice, the petition filed on behalf of the Petitioner to call upon upon (a) The order and award passed by Ld.DLAO cum Competent Authority Land Acquisition, Hazaribag, (b) Memo no.769 dt.28.2.2018 issued by the Dy.Commissioner, Hazaribag, (c) Report of 7 Member Committee constituted by the Dy.Commissioner, Hazaribag and (d) Pleading before the Addl.Collector cum Arbitrator NH2, Hazaribag of raiyat (Claimant), Ld.DLAO cum cum Competent Authority Land Acquisition, Hazaribag and the NHAI (e) Relevant notification and publication U/s 3A and 3D of NHAI Act from the record of Arbitration Case No. 3/2015 is allowed. O/c is directed to call for the aforesaid documents. Put up for awaiting record of Arbitration Case No. 3/2015 on.....

(Dictated)

**Nitika
Civil Judge(Snr Div.)-I,
Hazaribagh**

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