



2026:CGHC:442

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1179 of 2021

1 - Chhote Lal Rathore S/o Sadhram Rathore Aged About 72 Years R/o Near Tahsil Office Madanpur, Kharsia, Police Station- Kharsia, District- Raipur, Chhattisgarh., District : Raigarh, Chhattisgarh

2 - Mahabir Prasad S/o Dhan Sai Rathore Aged About 66 Years R/o Village- Farswani, Police Station- Uрга, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh
... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Secretary Public Works Department, Mantralaya Mahanadi Bhawan, Atal Nagar, Naya Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

2 - Collector District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

3 - Sub Division Officer(Revenue)/cometent Authority (Land Acquisition), Korba, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

4 - Union Of India Through The Secretary, Ministry Of Road, Transport And National Highways, New Delhi, India., District : New Delhi, Delhi

5 - Chief Engineer Public Works Department National Highway Division, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

6 - National Highways Authority Of India Through Its Project Director, Project Implementation Unit, Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
... **Respondent(s)**

For Petitioner(s) : Mr. Govind Prashad Dewangan, Advocate

For Respondent Nos. 1 : Mr. Ghanshyam Kashyap, Dy. GA

to 3

For Respondent No. 4 & : Ms. Anmol Sharma, Central Govt. Counsel

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For Respondent No. 6 : Mr. Dhiraj Kumar Wankhede, Advocate

Hon'ble Shri Justice Sachin Singh Rajput

Order On Board

05.01.2026

1. The petitioners have filed this writ petition seeking for the following relief(s);
 - 10.1 *That, this Hon'ble Court may kindly be pleased to call for the entire records in relates to the case of the petitioners from the possession of respondents for its kind perusal.*
 - 10.2 *That, this Hon'ble Court may kindly be pleased to issue appropriate writ, order, direction to set aside the impugned award dated 11.01.2019 (Annexure-P/1) passed by the respondent no.3.*
 - 10.3 *That, this Hon'ble Court may kindly be pleased to issue appropriate writ, order, direction and direct the respondent State Authorities to apply the multiplication factor of TWO as per notification dated 09.02.2016 with respect to the compensation for the petitioners' land and the petitioners shall be granted compensation after applying the multiplication factor TWO.*
 - 10.4 *That, this Hon'ble Court may kindly be pleased to grant any other relief/reliefs in favour of the petitioner, which the Hon'ble Court deemed fit & just in the facts and circumstances of the case, including awarding of the costs to the petitioner.*

2. Learned counsel for the petitioners submits that the petitioners are the title holders of the land comprised in Khasra Nos. 62/1, 62/2 and 4/1, situated at Village Jamunipali, Tahsil Kartara, District Korba, which has been acquired by respondent No. 6 for the purpose of construction of a National Highway. An award dated 11.01.2019 was passed by respondent No. 3, whereby compensation amounts of Rs. 6,78,571/-, Rs. 8,07,660/- and Rs. 5,38,440/- were awarded in favour of the petitioners. It is contended that the compensation has not been determined in accordance with law, as instead of applying a multiplier of 2, a multiplier of 1 was erroneously applied by respondent No. 3 while passing the award. Therefore, the present writ petition has been filed seeking the aforesaid relief.

3. Per contra, learned counsel for the respondents submit that the award is being challenged as less amount of compensation is being awarded to the petitioners and if the petitioners are aggrieved, they can challenge the same under section 3 G (5) of National Highways Act, 1956 before the Commissioner/Additional Commissioner, Bilaspur (Arbitrator) and by passing the same this writ petition has been filed. Therefore, this writ petition may not be entertained in light of the availability of the alternative remedy. They placed upon the reliance of the judgment of this court passed in **WA No. 423/2020 Puriram Kashyap and Ors. Vs. State of Chhattisgarh order dated 12.03.2021.**
4. Mr. Dewangan submits that he may be granted liberty to make application before the arbitrator as stated above and who may be directed to decide expeditiously.
5. Heard learned counsel for the parties and perused the record.
6. In view of the above, this writ petition is disposed of, granting liberty to the petitioners to file an application within a period of 45 days from the date of receipt of a copy of this order before the Arbitrator i.e. Commissioner/Additional Commissioner, Bilaspur Division, Bilaspur, in terms of the provisions contained in Section 3G(5) of the Act of 1956. It is expected that the said application shall be decided in accordance with law, after affording an opportunity of hearing to all stakeholders, within a reasonable period of time.

Sd/-

(Sachin Singh Rajput)

Judge