



2026:UHC:2640

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p><u>WPMS No.915 of 2026</u></p> <p><i>Saurabh Fulara and Another</i></p> <p style="text-align: right;"><i>--Petitioners</i></p> <p style="text-align: center;"><i>Versus</i></p> <p><i>State of Uttarakhand and Others</i></p> <p style="text-align: right;"><i>--Respondents</i></p> <p><u>Hon'ble Pankaj Purohit, J.</u></p> <p>Mr. C.K. Sharma, learned counsel for petitioners.</p> <p>2. Ms. Swati Verma, learned Brief Holder for the State of Uttarakhand/respondent Nos.1, 3 and 5.</p> <p>3. Mr. Rajesh Sharma, learned C.G.S.C. for the Union of India/respondent No.2.</p> <p>4. Mr. Raunak Pant, learned counsel holding brief of Mr. Naresh Pant, learned counsel for respondent No.4-NHAI.</p> <p>5. The present writ petition has been filed by petitioners seeking a direction to respondent No.3 to conduct inspection of the property in-question owned by petitioners and further to reassessing the compensation.</p> <p>6. It is contended by learned counsel for petitioners that petitioner's property comprised in Gata No.174ba of village Naya Gaon Chauhan, Tehsil Ramnagar, District Nainital, on which house is also standing, was acquired by respondent No.4-NHAI for construction/widening of the National Highway No.121 (New No.309).</p>



7. It is further contended by learned counsel for petitioners that house in-question was not only residential but it had two shops also, therefore, it was commercial building. But the compensation which has been calculated and arrived at by the respondent No.4 is only of residential house. It is feeling aggrieved by the said compensation arrived at by respondent No.4, petitioners are before this Court.

8. By means of the present writ petition, petitioners want to re-assess the compensation which has already been calculated and deposited by respondent No.4-NHAI with CALA.

9. Learned counsel appearing for respondent No.4-NHAI submits that petitioners can raise their grievances under Section 3G(5) of the National Highway Act, 1956 before the Arbitrator/District Magistrate, District Nainital.

10. In such view of the matter, no interference is required by this Court. The present writ petition is accordingly dismissed *in-limine*. Petitioners may raise arbitration before the Arbitrator as stated above.

11. Pending application also stands disposed of.



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15.04.2026

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