HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT JODHPUR

S.B. Civil Writ Petition No. 19552/2022

Prahlad Rai Agarwal (HUF) Karta Prahlad Rai Agarwal S/o Shri Ramavtar Agarwal, aged 64 Years, Resident of Ram Laxman Colony, Nawa, Tehsil Nawa, District Nagaur, Rajasthan.

----Petitioner

Versus

- 1. District Collector, Nagaur, District Nagaur, Rajasthan.
- The Chief Administrative Officer (Construction), 5 Floor, Hall No. 524, North Western Railway Hq Building, Near Jawahar Circle, Malviya Nagar, Jaipur 302017.
- 3. The Land Acquisition Officer cum Sub Divisional Officer, Nawa, District Nagaur (Raj.).
- 4. Executive Engineer (Construction), North West Railway, Kuchaman City, District Nagaur, Rajasthan.

----Respondents

For Petitioner(s) : M

: Mr. Manoj Purohit.

HON'BLE MR. JUSTICE ARUN BHANSALI

<u>Order</u>

09/01/2023

Learned counsel for the petitioner submits that in similar nature writ petition, a Coordinate Bench of this Court has passed order *exparte*, which may be passed in the present case.

The Coordinate Bench of this Court in *Radheyshyam vs. District Collector, Nagaur & Ors.*: S.B. Civil Writ Petition

No.11417/2022 on 26.08.2022 has directed as under:

"1. Present writ petition has been preferred by the petitioner for seeking a direction to the respondent No.1 for early disposal of his application for arbitration filed of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, which is pending since March, 2022.

(2 of 2)

- 2. Mr. Manoj Purohit, learned counsel for the petitioner submits that in spite of the fact that the pleadings in the case are complete, the District Collector, Nagaur has not decided the said application.
- 3. The present writ petition is, therefore, disposed of with the direction to the petitioner to file an application for early hearing/disposal of the arbitration application, pending with the District Collector, Nagaur along with the copy of the order instant.
- 4. On receipt of the application and certified copy of the order instant, the District Collector, Nagaur shall decide the arbitration application expeditiously, in accordance with law, as early as possible, preferably within a period of six months from the receipt of the application.
- 5. Needless to observe that the petitioner shall be free to move an application before the concerned Land Acquisition Officer for disbursement of the amount that has already been determined.
- 6. In case, petitioner moves an application, the Land Acquisition Officer shall disburse the amount that has already been determined to the petitioner, as early as possible, preferably within a period of four weeks of receipt of the application.
- 7. Needless to observe that withdrawal of award amount shall not prejudice petitioner's case pending before the District Collector, Nagaur.
 - 8. Stay petition also stands disposed of accordingly."

In view of submissions made, the present writ petition is also disposed of with similar directions as given in the case of Radheyshyam (*supra*).

(ARUN BHANSALI),J

[CW-19552/2022]

131-DJ/-