



2025:AHJ-1 KO:8518H-12H

**HIGH COURT OF JUDICATURE AT ALLAHABAD  
LUCKNOW**

**WRIT - C No. - 12011 of 2025**

Jhinne

.....Petitioner(s)

Versus

Union Of India Thru. Secy. Ministry Of Road Transport  
And National Highways New Delhi And 2 Others

.....Respondent(s)

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|---------------------------|-----------------------------------------|
| Counsel for Petitioner(s) | : Nijam Ahamad                          |
| Counsel for Respondent(s) | : A.S.G.I., C.S.C., Sarvesh Kumar Dubey |

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**Court No. - 2**

**HON'BLE MRS. SANGEETA CHANDRA, J.  
HON'BLE AMITABH KUMAR RAI, J.**

This writ petition has been filed with the following prayer :-

*(i) issue a writ, order or direction in the nature of mandamus directing and commanding the opposite party No. 2 & 3 to get the land 357M/0.0890 hectare is situated at village-Daulatpur Hajalpatti, Pargana- Bidahar, Tehsil-Tanda, District- Ambedkar Nagar published in Gazette and make compensation to its, tenure holders by making the award, in the interest of justice.*

It has been submitted by learned counsel for the petitioner that he is the recorded tenure holder of Gata No. 357 Minjumla admeasuring 0.0890 hectare, situated in Village–Daulatpur Hajalpatti, Pargana–Bidhar, Tehsil–Tanda, District–Ambedkar Nagar. A notification was issued by the National Highways Authority on 15.06.2012 for acquisition of land for the purpose of widening of the road on Bharat–Nepal Boundary called National Highway-233. In pursuance of such notification under Section 3A(1), adjoining land to the petitioner has been acquired, however, the land belonging to the petitioner has not been mentioned in the notifications dated 15.06.2012 and 30.07.2012 erroneously, and possession has also not been taken. Therefore, a direction be issued to the respondents to acquire the land of the petitioner, i.e., Gata No. 357 Minjumla, and to pay compensation.

Sri Abhishek Pathak, learned counsel, has filed his power on behalf of respondent no. 3, Project Director, Project Implementation Unit–Azamgarh, National Highways Authority of India, which is taken

on record. It has been submitted on behalf of respondent no. 3 that it is evident from a perusal of the notification issued by the N.H.A.I., a copy of which has been filed as an annexure to the writ petition, that Gata No. 357 admeasuring 0.1460 hectare belonging to private persons has been acquired, Gata No. 357 Kha which belongs to the State Government has been acquired, and Gata No. 357 Ga belonging to Ram Milan s/o Ramgari has also been acquired. Gata No. 357 Minjumla is not mentioned in the notification and it cannot be said that Gata No. 357 Minjumla was acquired but was mistakenly not mentioned in such notification. Since the land of the petitioner was not acquired, its possession was not taken; therefore, no compensation is payable to the petitioner.

The writ petition is **disposed of** with a direction to respondent no. 2, Additional District Magistrate (Finance & Revenue)/Competent Authority, NHAI-233, Ambedkar Nagar, to decide the representation of the petitioner within a period of two months from the date a copy of this order is produced before him.

**December 18, 2025**  
Ashish Dewal

**(Amitabh Kumar Rai,J.) (Mrs. Sangeeta Chandra,J.)**