

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 10463 of 2013

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D.B.Corp Limited a duly incorporated company having its registered office at Plot No. 280, Sarkhej, Gandhi Nagar Highway, Near YMCA Club, Makarva, Ahemdabad (Guzarat) and Corporate Office at 501, 5th Floor, Opp. Dena Bank, Naman Corp Link C-31 Block, Bandra Kurla Complex Bandra (E-Mumbai) Maharastra 400051 and Local Office at 301, 3rd Floor, Dukhan Ram Plaza, Exhibition Road, Patna through its authorized representative Manoj Kumar Sinha, Son of Shri R.K. Sinha, 301, 3rd Floor Dukhan Ram Plaza, Exhibition Road, Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Bihar Patna.
2. The District Magistrate and Land Acquisition Officer, Patna, District Patna.
3. The Union of India through the Secretary, Ministry of Road Transport & National Highway, New Delhi.
4. The Chairman, National Highways Authority of India, G-5 & 6, Sector - 10, Dwarka, New Delhi.
5. The General Manager, National Highways Authority of India, D-63, Sri Krishnapuri, Patna (Bihar).
6. The Project Director, National Highways Authority of India, D-63, Sri Krishnapuri, Patna (Bihar).
7. The Engineer-in-Chief, Road Construction Department, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. J.S. Arora, Sr. Advocate.
For the State	:	Mr. Ajay Kumar Rastogi, AAG-X
		Ms. Shilpi Keshri, AC to AAG-X
For the N.H.A.I.	:	Mr. S. N. Pathak, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 16-12-2016

Heard learned counsel for the parties.

The petitioner is aggrieved by the alignment of Patna-Buxar Section, NH-30 four lane in Mauza Bishnupura (Bihta) at Patna Channel No. 26+ 044 of NH. The further prayer is to change the alignment of Patna-Buxar NH-30 four lane after Pareo (Koilarwar) approaching towards south of Railway Line which meets near Mouza



Bhusaula (Danapur) south of AIIMS, Patna.

The Court having considered the matter is of the opinion that alignment and connected issues are technical and complex, which are best left to the experts. Moreover, from the records, it appears that the lands of the petitioner have also been acquired for the said purpose and such acquisition has remained unchallenged. The only plea of the petitioner is that they had moved before the Principal Secretary, Road Construction Department, Bihar on which some action has been initiated and, thus, the authorities should decide such representation. Though it would have been appropriate for the authorities to finally take a decision on the representation filed by the petitioner, but there being no legal obligation under any statute moreso, as the acquisition of the land has not been challenged, the Court cannot direct for the authorities to dispose off the representation, which is at the discretion of the concerned respondents.

Accordingly, the writ application stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

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