

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25530 of 2013

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Dharamendra Pratap Singh Son of Late Dudhnath Singh, Resident of Vill.-
Suara, Post- Pahleja, P.S.- Dehri, Distt- Rohtash

.... Petitioner/s

Versus

1. The State of Bihar through the District Land Acquisition Officer, Rohtas
2. District Magistrate At Rohtash
3. Chandradeep Singh Son of Late Rajram Singh, Resident of Vill.- Suara,
Post- Pahleja, P.S.- Dehri, Distt- Rohtash
4. Mahendra Pratap Singh Son of Chandradeep Singh, Resident of Vill.-
Suara, Post- Pahleja, P.S.- Dehri, Distt- Rohtash
5. Geeta Devi Wife of Arvind Pratap Singh Resident of Vill.- Suara, Post-
Pahleja, P.S.- Dehri, Distt- Rohtash
6. Mukhtar Singh Son of Late Mundrika Singh, Resident of Vill.- Suara,
Post- Pahleja, P.S.- Dehri, Distt- Rohtash
7. Osiyar Singh Son Of Late Mundrika Singh, Resident of Vill.- Suara,
Post- Pahleja, P.S.- Dehri, Distt- Rohtash
8. Wakil Singh Son Of Late Mundrika Singh, Resident of Vill.- Suara,
Post- Pahleja, P.S.- Dehri, Distt- Rohtash
9. Pankali Kunwar Son of Late Munni Singh (Son of Late Mundrika
Singh), Resident of Vill.- Suara, Post- Pahleja, P.S.- Dehri, Distt-
Rohtash
10. Surendra Singh Son of Late Ram Bilash Singh (Son of Late Mundrika
Singh), Resident of Vill.- Suara, Post- Pahleja, P.S.- Dehri, Distt-
Rohtash
11. Indramani Singh Son of Late Ram Bilash Singh (Son of Late Mundrika
Singh), Resident of Vill.- Suara, Post- Pahleja, P.S.- Dehri, Distt-
Rohtash
12. Kumar Abhay Pratap Singh Son of Late Jagnarayan Singh, Resident of
Vill.- Suara, Post- Pahleja, P.S.- Dehri, Distt- Rohtash

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Respondent No.1 & 2 : Mr. Prabhu Narayan Sharma, AC to AG

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 22-04-2016 Heard the learned counsel for the petitioner and the
learned AC to AG appearing on behalf of the respondent no. 1 and
2.

At the very outset, the learned AC to AG appearing on
behalf of the respondent no. 1 and 2 has raised a preliminary

objection about maintainability of the present writ petition at this stage. According to him, in view of nature of grievances/ claims raised on behalf of the petitioner with respect to the preparation of award in question under the provisions of The National Highways Act, 1956 (In short 'the Act, 1956'), the petitioner has an alternative and efficacious remedy under Section 3-H(4) of the Act, 1956. Therefore, according to him, the writ petition is liable to be dismissed at this stage.

The learned counsel appearing on behalf of the petitioner submits that award in question was prepared in the name of private respondents, though the petitioner was also having share in the lands in question, which was subject matter of acquisition under the provisions of the Act, 1956.

In that view of the matter, the present writ petition is dismissed, but a liberty is granted to the petitioner to approach the competent authority for redressal of his valid grievances in terms of Section 3-H(4) of the Act, 1956.

(Birendra Prasad Verma, J)

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