

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 21591 of 2014

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Rajendra Prasad Sinha @ Rajendra Singh Son of Late Basant Singh
Resident of Village - Hasanpura, P.S. - Beur, District - Patna

.... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate - Cum - Collector, Patna
3. The Additional Collector, Distt. Patna
4. The District Land Acquisition Officer - cum - Competent authority, Distt. - Patna
5. The Circle officer, Block Phulwarisharif, Distt. - Patna
6. The Union of India, through Principal Secretary, Ministry of Road Transport and Highway, Govt. of India
7. The Principal Secretary, The Ministry of Road Transport and Highways, Govt. of India, New Delhi
8. The National Highway Authority of India (NHAI) through Chairman Cum - Secretary, G - 5 and G - 6, Sector - 10 Dawarika, New Delhi
9. The Project Director, National Highway Authority of India, D - 63, Sri Krishnapuri, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Adv.
For the State : Mr. Ajay Kumar Sharma, AC to A.G.
For the N.H.A.I. Mr. S.N. Pathak, Adv.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 02-08-2017 This matter has been listed out of turn on the basis of mentioning slip filed on behalf of the petitioner.

Heard the parties.

Petitioner is aggrieved by the amount of award which has been determined by the competent authority and has prayed before this Court for issuance of direction to competent authority to make payment of enhanced amount with interest as per market



value but in my view, the petitioner should knock the door of arbitrator because there is specific provision under Section 3G (5) of the National Highways Act, 1956 which says that “If either of the parties of the proceeding is aggrieved by the amount determined by the competent authority, the said party may file application before the arbitrator for determination of amount.

Therefore, in the aforesaid circumstance, this writ petition stands disposed of giving liberty to petitioner to raise his grievances before the concerned arbitrator within a month from the date of receipt/production of copy of this order and if petitioner does so, the concerned arbitrator shall hear the grievances of the petitioner and decide the matter in accordance with law.

(Hemant Kumar Srivastava, J)

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