

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14190 of 2014

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1. Shivnath Singh Son of late Shyam Narayan Singh
 2. Ganesh Sharma son of Sri Jugeshwar Singh
 Both resident of village Nadwan P.S. Dhanarua, District Patna

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Road Transport and National Highway, Ministry, Government of India, New Delhi
 2. The Collector, Patna
 3. Competent Authority cum District Land Acquisition Officer, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhitabh Kumar
 For the NHAI : Mr. Anshay Bhadur Mathur
 For the State : Mr. Prabhu Narayan Sharma
 For Union of India : Mr. Anjani Kumar Saran

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

05 14.11.2017 Heard the parties.

The lands of the petitioners were acquired for construction of National Highway and the amount of compensation was determined by the competent authority. Subsequently, notice under section 3E of the National Highway Act, 1956 was sent to the petitioners and in response to the said notice, they filed objection before Land Acquisition officer, Patna to this effect that determination of compensation amount has not been made in accordance with law.

It is admitted position that compensation



amount has already been determined by the competent authority and, therefore, if the petitioners are aggrieved by the determination of compensation amount, they may raise their grievances before arbitrator in accordance with section 3G(5) of the National Highway Act, 1956.

Therefore, in the aforesaid circumstances, this writ petition stands disposed of giving liberty to the petitioners that they may raise their grievances before appointed arbitrator i.e. Additional Collector, Gaya within three months from today and if the petitioners do so, the concerned arbitrator shall pass appropriate order on the grievances of the petitioners in accordance with law.

Shahid

(Hemant Kumar Srivastava, J)

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