

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3721 of 2016

IN

Civil Writ Jurisdiction Case No. 21511 of 2013

=====

1. Asharfi Das Son of Late Harni Das
2. Yugal Paswan Son of Late Anup Paswan
3. Raj Kumari Devi Wife of Ram Babu Sah
4. Nagendra Sah son of Late Indradeo Sah
All residents of village - Thumma, P.S. Runi Saidpur, District - Sitamarhi

.... Petitioners

Versus

1. The State of Bihar, through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
2. The Project Director, National High Way Authority of India
3. The Collector, Sitamarhi
4. The Additional Collector, Sitamarhi
5. The Deputy Collector Land Reforms, Sitamarhi
6. The Sub - Divisional Officer, Sadar, Sitamarhi
7. The District Sub Registrar, Sitamarhi
8. The Circle Officer, Runi Saidpur, Sitamarhi

.... Respondents

=====

Appearance :

For the Petitioners : Mr. Sanjay Kumar Tiwari, Advocate
Dr. Kamaldeo Sharma, Advocate

For the Respondents : Mr. Arun Kumar Bhagat, AC to AAG 12

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-09-2017

The present petition has been filed for modification of the order dated 17.12.2015 passed in CWJC No. 21511 of 2013 by which, *inter alia*, the petitioner was granted liberty to avail of the statutory remedy before the Arbitrator in terms of Section 3-G(5) of the National Highways Act, 1956 within a period of one month from the date of the order.

2. Learned counsel for the petitioners submits that due to extenuating circumstances and the fact that the petitioners were unable to raise sufficient money to meet the expenses to be incurred in connection



with the arbitration, they were unable to approach the Arbitrator within the stipulated period of one month from the date of the order of this Court. Learned counsel for the petitioners states that funds have now been arranged and a short extension of the time would enable the petitioners to seek redressal of their grievances before the Arbitrator.

3. Learned counsel for the respondents appears and has been heard.

4. Having heard the parties and for the reasons stated in the petition this Court is of the view that the ends of justice will be met if the time for filing appropriate petition before the Arbitrator by the petitioners is extended for a further period of two weeks from today.

5. The order dated 17.12.2015 passed in CWJC No. 21511 of 2013 stands modified only to the above extent.

6. The petition stands allowed.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	01.09.2017
Transmission Date	N.A.

