

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4969 of 2017

=====

1. Arwind Kumar Singh @ Arwind Kumar, Son of Late Nawal Kishore Singh, Resident of Village- Majhaulia, P.S. + Anchal- Bathana, District- Sitamarhi.

.... Petitioner/s

Versus

1. The Union of India through the Secretary Ministry of Transport and Highways, New Delhi.
2. The Project Director, National Highway Authority of India.
3. The District Magistrate-cum-the Land Acquisition Officer, Sitamarhi.
4. The Sub-Divisional Officer, Sitamarhi.
5. The Anchal Adhikari, Sitamarhi.
6. Ram Briksha Raut, Son of Late Ramdhyan Raut, resident of Village- Yogwana, P.S. Bathana, District- Sitamarhi.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
Mr. Santosh Kumar Pandey, Advocate

For the Respondent/s : Mr. S.C.Yadav, GP-15
Mrs. Sangha Mitra Ghosh, AC to GP-15

For the NHA : Mr. Anshay Bahadur Mathur, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 07-09-2018

Heard learned counsel for the parties.

Undisputed fact of the case is that certain land of the petitioner was acquired under the provisions of National Highways Act, 1956. Petitioner has stated in para-8 of the writ petition that compensation to the petitioner was paid for acquired revisional Survey Plot Nos.1222 and 1291. However, no compensation was paid for plot No.1226. Though all the three plots were carved out from cadastral survey plot No.553 of the petitioner. Contention is that compensation was not paid for the



reason that there was some error in Jamabandi record and plot No.1226 was recorded wrongly in the name of Ram Dhyan Raut.

This writ application, under Article 226 of the Constitution of India, has been preferred for a direction to the respondents to pay compensation of the aforesaid plot to the petitioner.

The writ Court cannot go into the disputed fact as to who is the owner of Plot No.1226. Moreover, the petitioner has already filed a representation for redressal of his grievance before respondent No.3, the District Magistrate-cum- Land Acquisition Officer, Sitamarhi, a copy of the representation at Annexure-5.

Respondent No.3 is directed to pass necessary order on Annexure-5 preferably within three months.

With the aforesaid observation, this writ application stands disposed.

(Birendra Kumar, J)

Mkr./-

U		T	
---	--	---	--

