

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5989 of 2017

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1. Nand Kumar Jaiswal, Son of Late Vishwanath Choudhary, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 2. Vidya Shah, Daughter of Yugeshwar Shah, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 3. Binod Kumar Shah, Son of Late Kishun Shah, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 4. Jay Shankar Kumar Shah, Son of Late Rameshwar Shah, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 5. Binod Kumar Gupta, Son of Hari Narayan Gupta, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 6. Chandra Shekhar @ Maheshwar Prasad Mehta, Son of Late Muni Lal Mehta Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 7. Shri Chand Prasad Bhagat, Son of Shri Girdhar Prasad Bhagat, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 8. Raj Kumar Chand, Son of Kedar Nath Agrawal, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 9. Jagadish Pradhan, Son of Late Radhuni Ram, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 10. Ram Narayan Shah, Son of Lakhi Chand Sah, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 11. Ghanshyam Lal Madhogaria, Son of Late Laxmi Narayan Madhogaria, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 12. Ram Prasad Shah, Son of Late Ramdev Shah, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 13. Jagadish Shah, Son of Late Ramdev Shah, Resident of Village - Smrahi Bazar P.S. Raghapur District Supaul
 14. Nand Kumar Shah, Son of Vishnu Nath Shah, Resident of Village - Smrahi Bazar P.S. Raghapur District Supaul
 15. Md. Mohshin, Son of Late Abdul Gaffar, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 16. Md. Jaffuruddin, Son of Late Abdul Sakur, Resident of Village - Simrahi Bazar, P.S. Raghapur, District - Supaul.
 17. Mahendra Prasad Shah (Gupta), Son of Bhola Prasad Shah, Resident of Village



- Simrahi Bazar, P.S. Raghapur, District - Supaul.

18. Ila Devi, Wife of Baidyanath Sah, Resident of Village - Simrahi Bazar, P.S.
Raghapur, District - Supaul.

.... Petitioners

Versus

1. National High Way Authority of India through its Chairman
2. Chairman, National High Way Authority of India.
3. Secretary, Government of India, Department of Road Transport & High Ways
4. Director, Land Acquisition Bihar Patna.
5. District Collector, Supaul
6. The Project Director, National Highway Authority of India, Purnea
7. The Competent Authority-cum-District Land Acquisition Officer, Supaul.

.... Respondent/s

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Appearance :

For the Petitioners	: Mr. Binodanand Mishra, Advocate
For the Res. No. 1, 2 & 3	: Mr. Anshay Badadur Mathur, Advocate
For the State	: Mr. Asif Kalim, A.C. to A.A.G.-12

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 13-09-2018

Heard learned counsel for the parties.

Grievance of the petitioners is that land of the petitioners mentioned in para 15 of the writ application were acquired for construction/expansion of the National Highway NH-57 under the provisions of the National Highways Act. However, compensation has not been decided as yet. Prayer is that representation of the petitioners before the authority at Annexure-5 dated 02.12.2013 is still awaiting final result wherein the petitioners have prayed for compensation considering the acquired land as commercial land.

It appears that on consideration of representation at



Annexure-5, the authorities have called for a report from the Executive Engineer, Building Department, Supaul by letter dated 15.12.2015 at Annexure-6. However, no result on the Annexure-6 has been communicated to the petitioners as yet.

After hearing the parties and considering the nature relief prayed, the respondents, especially, respondent no. 7, the Competent Authority-cum-District Land Acquisition Officer, Supaul is directed to pass necessary order on the representation of the petitioners at Annexure-5 within three months from the date of receipt/production of a copy of this order.

With the aforesaid observation, this writ application stands disposed of.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	14.09.2018
Transmission Date	N.A.

