

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16181 of 2017

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Shamsun Nisha, W/o Late Shakil Ahmed, Resident of Mohalla-Near Madar Darwaja, Dharamshala Road, P.O. + P.S.-Sasaram, District-Rohtas

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Land Acquisition Officer, Rohtas at Sasaram-Cum-the Competent Authority.
3. The National Highways Authority of India, through its Chairman, Sector-10, Dwarika, New Delhi.
4. The Project Director, National Highway Authority of India, D-63, Sri Krishnapuri, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate.
For the Respondent/s : Mr. SAJID SALIM KHAN - SC-25
For N.H.A.I. : Mr. S.N.Pathak, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL JUDGMENT

Date: 03-05-2018

Heard both sides.

Learned counsel for the petitioner filed this writ petition for
the following reliefs:-

- a) for directing the Respondents forthwith to pay the compensation amount of the land of the petitioner as per law along with interest at the rate of 18% per annum.
- b) For direction holding that entire land acquisition proceeding with respect to the petitioner's land vitiated due to non-payment of the compensation amount.
- c) For directing the respondents to classify the lands of the petitioner as commercial and to calculate the compensation amount for the



land of the petitioner at commercial rate.

Learned counsel for the petitioner submits that 626 Sq. meter of land of the petitioner, pertaining to R.S. Khata No.12, Plot No. 395 situated in Mouza-Bhadakhra, Circle- Sasaram, District- Rohtas has been acquired for the purpose of National Highway No.2 to six lanes. The petitioner is in possession of the land but it appears that even after issuance of notification of acquisition of land for widening N.H.-2, the petitioner did not file any petition before the Land Acquisition Officer, who is competent authority to pay compensation to the land owner.

In this view of the matter, I dispose of this writ petition with direction to the petitioner to file representation before the Land Acquisition Officer within one week from the date of receipt of this order, and thereafter, the Land Acquisition Officer shall pass order in accordance with law, with regard to compensation of land of the petitioner within three months from the date of receipt of this order.

Accordingly, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

Amit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08-05-2018
Transmission Date	NA

