

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20748 of 2014

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1. Uday Shankar Prasad s/o late Arjun Singh Resident of village- Gorgama, P.O. - Khagaul P.S. Shahpur, Dist- Patna.
 2. Bijay Kumar Singh s/o late Arjun Singh Resident of Village- Sherullahpur, Nandgaon P.S.- Shastri Nagar, District- Patna.

.... Petitioners

Versus

1. The Union of India, through Secretary, Ministry of Road Transport & Highways Govt. of India, New Delhi
2. The Deputy Secretary, Ministry of Road Transport & Highways Govt. of India, New Delhi
3. The National Highways Authority of India through its Chairman cum Secretary, Ministry of Shipping, Road Transport & Highways, Govt. of India, New Delhi
4. The Project Director, National Highways Authority of India D-36, Sri Krishnapuri, patna.
5. The State of Bihar , through the District Magistrate Cum Collector , Patna.
6. The District Land Acquisition Officer cum Competent Officer, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ajatshatru, Adv
For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-02-2018

The present writ petition has been filed for a direction to the respondent authorities to pay the compensation/Award along with statutory interest as well as penal interest for taking possession of the raiyati land of petitioners, forcibly, appertaining to plot no. 458, Khata No. 60, measuring area 0.07 acre of Thana No. 47 of Mauza-Goregama, P.S. Shahpur, P.O. Khagawol, District Patna; to issue a writ in the nature of mandamus directing the respondents to take into consideration the 'No objection affidavit' dated 04.06.2013 (Annexure-4) for enumerating the amount of award as per the new Land Acquisition Policy, 2007 granting the 60% solatium; and for connected



reliefs.

2. At the very outset, learned counsel for the petitioners submits that it would suffice if the Project Director, NHAI, D-36, Sri Krishnapuri, Patna (Respondent no. 4) is directed to consider and dispose of the representation of the petitioner said to have been filed on 13.08.2013 for redressal of their grievances and in such event, the present writ petition need not be pressed.

3. Having regard to the stand of the petitioners the writ petition stands disposed of with a direction to the Project Director, NHAI, D-36, Sri Krishnapuri, Patna (Respondent no. 4) to consider and dispose of the petitioners' representation dated 13.08.2013 (Annexure-6), if still pending, in accordance with law and after grant of an opportunity of hearing to the petitioner expeditiously and preferably within a period of six weeks from the date of receipt/production of a copy of this judgment. In case upon disposal of the petitioner's representation, it is found that the petitioner is entitled to any amount, the same shall be paid to the petitioner within a period of two months from such determination.

4. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.02.2018
Transmission Date	NA

