

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1875 of 2017

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1. Md. Sabdul Ansari, S/o Dil Mohammad Ansari, Resident of Village / Mohalla-
Hatwariya, Police Station- Harlakhi, District- Madhubani.

.... Petitioner/s

Versus

1. The Union of India through Ministry of Road, Transport and Highways, New Delhi.
2. The Chairman, National Highways Authority of India, New Delhi.
3. The Project Director, National Highway- 104, Madhubani.
4. The Collector, Madhubani.
5. The Competent Authority-cum-District Land Acquisition Officer, Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Krishna Chandra, Advocate Mr. Praveen Kumar, Advocate Ms. Swati Sinha, Advocate
For the Respondent/s	:	Md. Khurshid Alam, AAG-2
For the NHA	:	Mr. S.N. Pathak, SC, NHA Mr. Anshay Bahadur Mathur, CGC

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-08-2018

Heard learned counsel for the parties.

This application has been preferred for quashing the notification issued for widening/construction of National Highway 104 under Section 3(C) of the National Highway Act, 1956, whereby land of the petitioner over which a residential house is standing has been notified to be acquired. The petitioner claims to be the owner of Khata No.131 (corresponding to Old Plot No.38), Plot No.1774 New (corresponding to Old Plot No.1065), measuring 1 Katha 5 Dhur in village- Mahadeo Patti near Sitamarhi Jaynagar National Highway.



Alternative prayer is for a direction to the respondent authorities to divert the alignment of the aforesaid National Highway.

Learned counsel for the respondents submits that the petitioner has remedy to file objection under Section 3(c) of the National Highway Act, which shall be considered according to law. Petitioner has not filed any such objection.

The petitioner is at liberty to file the aforesaid objection within 21 days from today, which shall be considered by the competent authority according to law.

With the aforesaid observation, this application stands disposed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.08.2018
Transmission Date	21.08.2018

