

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19781 of 2014

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1. Yugal Kishore Ram S/o Late Ram Nandan Ram Resident of Village and Post Office Pahleja, Police Station Dehari, District Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Rohtas at Sasaram.
3. The Competent Authority cum District Land Acquisition Officer, Rohtas at Sasaram.
4. The Chief Project Manager, Dedicated Freight Corridor Corporation India, Ltd. Mugalsarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh,
Mr. Suresh Kumar,
Mr. J. K. Singh
For the State : Mr. Raj Kishore Roy
For Respondent no.4 : Mr. Ashok kumar Keshari

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 06-03-2018 Heard learned counsel for the petitioner and learned counsel for the State as well as Dedicated Freight Corridor Corporation.

In the present case, land has been acquired for construction of Dedicated Freight Corridor which runs from Ludhiana to Dankuni and for that Railway has acquired the land under Railway Act, 1989. Section 20 and other sections of the Railway Act deals with the matter with regard to resolve claim dispute by the person interested.

In the present case claim has been made for



enhancement of compensation amount which the petitioner says that compensation amount is in lower side which requires consideration.

Section 20 (F) of the Railway Act provides that such matter can be adjudicated and resolved by the Arbitrator appointed by the Central Government and Central Government has notified the Patna Divisional Commissioner as an Arbitrator.

In view of the stand taken by the Railway, the petitioner should exhaust the alternative remedy provided under the Railway Act. If such an application is filed before the Patna Divisional Commissioner, the Commissioner will decide the matter within a reasonable period. While disposing of the limitation matter the Commissioner will take into account the pendency of the present case before this Court.

With the aforesaid observation and direction this writ petition is disposed of.

(Shivaji Pandey, J)

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