

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5261 of 2019

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Purushottam Singh Son of Kedar Singh Resident of Village- Khaira, P.O. Sikariya, P.S. Darigaon (Sasaram), District- Rohtas Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary-cum- Land Acquisition Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Project Director, National Highway Authority of India Ministry of Road Transport and Highway Project Implementation Unit, Sasaram.
4. The Collector Rohtas at Sasaram.
5. The Additional Collector Rohtas at Sasaram.
6. The Competent Authority cum District Land Acquisition Officer Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rameshwar Singh
For the Respondent/s	:	Mr.Raj Kishore Roy (GP-18)
For NHAI	:	Mr. S.N.Pathak

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 27-03-2019 The petitioner has a grievance that against acquisition of his land for extension of four lane to six lane, for N.H.-2, the amount of compensation determined is not adequate, for the reasons that the land which has been acquired is commercial in nature and for the purpose of determination of compensation the respondents have considered the same to be the agricultural land.

This is, however, not in dispute that the petitioner has statutory remedy under Section 3-G(5) of the National Highway



Act, 1956 (hereinafter referred to as 'the Act'), which allows the petitioner to make an application for determination of the amount by an Arbitrator to be appointed by the Central Government.

Learned counsel for the petitioner has submitted that the petitioner has so far not received the amount of compensation determined by the respondent, which according to the petitioner is not proper and, therefore, not acceptable.

Considering the facts and circumstances, this application is disposed of with a liberty to the petitioner to make an application for determination of the amount of compensation as contemplated under Section 3-G(5) of the Act.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

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