

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5425 of 2019

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Pushpesh Kumar Patel S/o Sanjay Singh Vill.- Chitawon, P.s.- Dinara, Distt.-
Rohtas

... .. Petitioner/s

Versus

1. The Union of India through Chairman, Road Transport and National Highway Authority, New Delhi
2. The State of Bihar through Secretary Department of Revenue Patna, Bihar
3. District Magistrate Rohtas
4. Additional District Magistrate Rohtas
5. Land Reform Deputy Collector Rohtas
6. The District Land Acquisition Officer Rohtas

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vishal Saurabh
		Mr. Sanjit Kumar Sinha
For the Respondent/s	:	Mr.Subash Chandra Yadav (GP-15)
For Union of India	:	Mr. S. D. Sanjay, Addl. S G.
For the NHAI	:	Mr. SN.Pathak, SC

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 27-03-2019 The petitioner has limited prayer. His land has been acquired under the National Highway Act, 1956, for construction/widening of N.H.-2. It is his grievance that though he is entitled for compensation on a higher rate treating the nature of land to be commercial, payment of compensation has been made treating the same to be agricultural. He has filed an application before the Collector, Rohtas, which is said to be pending since 24.12.2018.

Learned counsel appearing on behalf of the State of



Bihar and the National Highway Authority of India inform this Court that now the Divisional Commissioners of all the Divisions have been notified to act as Arbitrator under Section 3-G(5) of the National Highway Act, 1956.

In such view of the matter, this application is disposed of with a liberty to the petitioner to approach the Divisional Commissioner, Patna, raising the grievance, which has been raised in the present writ application. Keeping in mind the fact that there has been some confusion as to who has been notified as Arbitrator by the Central Government, as required under Section 3-G(5) of the Act, it is directed that the petitioner's claim should not be turned down on the ground of delay, if any such application is made before the Commissioner within three weeks from today.

The Court expects that the arbitration proceedings will be expeditiously decided.

This application is accordingly disposed of.

(Chakradhari Sharan Singh, J)

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