

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5268 of 2019

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1. Suresh Singh Son of Late Ram Bilas Singh Resident of Village- Khaira, P.O. Sikariya, P.S.- Darigaon (Sasaram), District- Rohtas Sasaram
 2. Nathu Singh Son of Late Ram Bilas Singh Resident of Village- Khaira, P.O.- Sikariya, P.S.- Darigaon (Sasaram), District- Rohtas Sasaram
 3. Sakunytala Devi Wife of Late Subhash Singh Resident of Village Khaira, P.O. Sikariya, P.S. Darigaon (Sasaram), District- Rohtas Sasaram
 4. Lav Singh Son of Late Ram Bilas Singh Resident of Village Khaira, P.O. Sikariya, P.S.- Darigaon (Sasaram), District- Rohtas Sasaram
 5. Kush Singh Son of Late Ram Bilas 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

Appearance :

For the Petitioner/s	:	Mr.Rameshwar Singh
For the Respondent/s	:	Mr.Md. Khurshid Alam (AAG-12)
For NHAI	:	Mr. S.N.Pathak

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 27-03-2019 The petitioners have a grievance that against acquisition of their 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 petitioners have statutory remedy under Section 3-G(5) of the National Highway Act, 1956 (hereinafter referred to as 'the Act'), which allows the petitioners to make an application for determination of the amount by an Arbitrator to be appointed by the Central Government.

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

Considering the facts and circumstances, this application is disposed of with a liberty to the petitioners 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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