

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7801 of 2019

1. Lallan Prasad Chaurasiya @ Lallan Prasad son of Ramadhari Chaurasiya resident of Mohalla- Lakhanusaray, Police Station- Sasaram (Town), District- Rohtas at Sasaram.
2. Kapil Prasad Chaurasiya @ Kapil Prasad son of Ramadhari Chaurasiya @ Ramadhari Prasad resident of Mohalla- Lakhanusaray, Police Station- Sasaram (Town), District- Rohtas at Sasaram.
3. Girija Prasad @ Girja Prasad Chaurasiya son of Ramdhari Chaurasiya @ Ramadhari Chaudhari resident of Mohalla- Lakhanusaray, Police Station- Sasaram (Town), District- Rohtas at Sasaram.
4. Muni Devi @ Mani Devi wife of Late Lallan Prasad Chaurasiya @ Lallan Prasad resident of Mohalla- Lakhanusaray, Police Station- Sasaram (Town), District- Rohtas at Sasaram.
5. Santosh Kumar Chaurasiya @ Santosh Chourasiya son of Lallan Prasad Chourasiya @ Lallan Prasad resident of Mohalla- Lakhanusaray, Police Station- Sasaram (Town), District- Rohtas at Sasaram.
6. Kamlesh Kumar Chaurasiya @ Kamlesh Chaurasiya son of Late Lallan Prasad Chaurasiya @ Lallan Prasad resident of Mohalla- Lakhanusaray, Police Station- Sasaram (Town), District- Rohtas at Sasaram.
7. Ramadhar Singh son of Late Daroga Singh resident of Village- Maharaniya, Police Station- Darigaon, District- Rohtas at Sasaram.
8. Lalji Singh son of Late Bhikhan Singh resident of Village- Maharaniya, Police Station- Darigaon, District- Rohtas at Sasaram.
9. Bahadur Kumar son of Late Bhikhan Singh resident of Village- Maharaniya, Police Station- Darigaon, District- Rohtas at Sasaram.
10. Ram Naresh Singh @ Ram Naresh Yadav son of Late Daroga Singh @ Daroga Yadav resident of Village- Maharaniya, Police Station- Darigaon, District- Rohtas at Sasaram.
11. Saraswati Kunwar wife of Late Hira Lall Chaurasiya resident of Village- Kota, Police Station- Darigaon, District- Rohtas at Sasaram.
12. Krishna Kumar Chaurasiya @ Krishna Prasad Chaurasiya son of Late Hira Lall Chaurasiya resident of Village- Kota, Police Station- Darigaon, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The District Magistrate cum Collector, Rohtas.
3. The Competent Authority Cum District Land Acquisition Officer, Rohtas at Sasaram.
4. The Additional Collector, Rohtas at Sasaram.
5. The Deputy Development Commissioner, Rohtas at Sasaram.
6. The District Registrar, Rohtas at Sasaram.



7. The Circle Officer, Sasaram, under District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Singh
For the Respondent/s : Mrs.Nutan Sahay, AC to AAG-12

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-04-2019 The petitioners' land is said to have been acquired under the provisions of National Highways Act, 1956 for construction/widening of National Highway. It is their grievance that while determining the amount of compensation, the nature of the petitioners' land acquired has been treated to be agricultural land whereas the petitioners are entitled for determination of compensation on treating the land either to be commercial or residential.

In my view, the petitioners have remedy under Section 3-G(5) of the National Highways Act, 1956 by making an application before the Arbitrator to be appointed by the Central Government.

This application is disposed of with a liberty to the petitioners to invoke provisions of Section 3-G(5) of the Act by making appropriate application before appropriate forum, which



shall be decided, in accordance with law.

This disposes of the application.

(Chakradhari Sharan Singh, J)

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