

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11036 of 2019

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Satish Kumar, age about 53 years (Male) Son of Late Arjun Singh, Resident of Village-Nadwan, P.S. Dhanarua, District-Patna

... .. Petitioner/s

Versus

1. The Union of India, through the Secretary, Department of Road Transport and Highway Govt. of India, New Delhi.
2. The Principal Secretary Department of Revenue Government of Bihar, Patna
3. The Collector, Patna
4. The Competent Officer cum-Land Acquisition Officer, Patna
5. The Circle Officer, Dhanarua, District-Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arun Kumar Pandey
For the State	:	Mr.Raj Kishore Roy (GP—18)
		Mr.Mukul Prasad, AC to GP 18
For respondent no.1		Mr. Anshay Bahadur Mathur

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-06-2019 Following is the relief, which the petitioner is seeking:-

“(I) To make payment of the compensation amount of the petitioner also in respect of the Khata No. 612 Plot No. 1857 (Both Old situated at village-Nadwan, P.S. Dhanarua, district-Patna as the petitioner has also $\frac{1}{4}^{\text{th}}$ share in the aforesaid land.

(II) To restrain the respondent authorities to not to make payment of the entire compensation amount of the said land Area of whioch is 52 decimal to the



respondent No.6 to 9 as they are claiming the entire amount on the basis of false rent receipts.

(III) To direct the respondent authorities to decide first as to who is the owner of the said land and for what area of the aforesaid land the claimants are entitled to get the compensation amount.

(IV) To direct the respondent authorities to keep the payment of compensation amount in respect of aforesaid land i.e. Khata No. 612 (Old) Plot No. 1857 (Old) situated at village-Nadwan, P.S. Dhanarua, District-Patna pending till it is decided that who is entitled for compensation for what area of land.”

It appears that petitioner is claiming his share in the amount of compensation with the private respondent Nos. 6 to 9.

Learned counsel for the N.H.A.I. has drawn my attention to Annexure-2 to this writ application, to submit that the competent authority cum-District Land Acquisition Officer is in seisin of the matter and the petitioner has statutory remedy under the provisions of the National Highways Act, 1956 (for short ‘the Act’).



There is no explanation on record why the petitioner has come after so many years inasmuch as the document, which has been brought on record, is dated 04.01.2016, which is the letter written by the competent authority to the Circle Officer.

This application is thus, disposed with the observation that the petitioner shall be at liberty to take recourse to the provisions of the Act, if the same is found to be permissible, in accordance with law.

(Chakradhari Sharan Singh, J)

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