

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10451 of 2019

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Kamlapati Pandey Son of Late ram Udar Pandey resident of Village- New Bhojpur, P.O.-New Bhojpur, P.S. Dumraon, District-Buxar.

... .. Petitioner/s

Versus

1. The Union of India through, the secretary, Shipping, Surface, Transport and National Highway, New Delhi.
2. The National Highway Authority of India through its Chairman, New Delhi
3. The District Magistrate, Buxar.
4. The Additional CollectorCum-Arbitrator- Under the Provisions of National Highway Act, Buxar.
5. The District Land Acquisition Officer-Cum-Competent Authority Under the Provision of the National Highway, Act. Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ram Hriday Prasad
For the Respondent/s	:	Mr.Md. Khurshid Alam (AAG-12)
For NHAI		Mr. Anshay Bahadur Mathur, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-05-2019 Aggrieved by an order dated 16.03.2018, passed by the Competent Authority-cum- Land Acquisition Officer, Buxar under the National Highways Act, 1956 (hereinafter referred to as ‘the Act’), the present writ application has been filed, whereby the land of the petitioner has been declared agricultural, whereas it is the petitioner’s claim that the nature of the land is commercial.

2. Sub-section (5) of Section 3-G of the Act provides for determination of the nature of dispute by an Arbitrator to be appointed by the Central Government, if any application is



made by either of the parties.

3. This application is, accordingly, disposed of with a liberty to the petitioner to make an application under Section 3-G(5) of the Act before the Arbitrator. If any application is made, the Court expects that the same is decided expeditiously, in accordance with law.

(Chakradhari Sharan Singh, J)

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