

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11493 of 2019

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Narendra Kumar Mishra Son of Late Surya Narayan Mishra Resident of
Village- Muksoodpur, Block and P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar Through the Principal Secretary, Revenue, Old Secretariat, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Land Acquisition Officer, Muzaffarpur.
4. The National Highway Authority of India

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Bipin Bihari Singh Mr. Shyama Kant Singh Mr. Kanchan Mishra
For the Respondent State:		Mr.Raj Kishore Roy, GP-18
For the NHAI	:	Mr.Anshay Bahadur Mathur

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 25-06-2019 National Highway Authority of India is permitted to

be impleaded as respondent No.4 in course of the day.

Mr. Mathur, learned counsel accepts notice on behalf
of respondent No.5.

Petitioner is son of Late Surya Narayan Mishra. He is
seeking a direction to the respondents for determination of
market value of the lands, acquired for the purpose of widening
of N.H.-77.

It appears from Annexure-1, that way back in 2011, a
notice was given by the Land Acquisition Section of the
Muzaffarpur Collectorate, addressed to late father of the



petitioner, asking him to appear with relevant documents on 16.05.2011 for receiving the amount of compensation. It is the case of the petitioner, however, that the amount of compensation has so far not been paid.

Learned counsel appearing on behalf of the petitioner has submitted that in 2015, an affidavit was filed by all the legal heirs of Late Surya Narayan Mishra for the payment of amount of compensation in favour of the petitioner. Subsequently, in 2019, the petitioner is said to have made a representation before the District Magistrate, Muzaffarpur, for payment of the amount of compensation.

On perusal of the pleadings on record and the documents, which have been annexed thereto, I find that after notice was issued in 2011 to father of the petitioner for receiving payment on 16.05.2011, the petitioner, for the first time, approached the District Magistrate, Muzaffarpur on 11.03.2019 through a legal notice. There is no valid explanation for delay of eight years in the writ application.

Considering the facts and circumstances, however, this application is disposed of with a liberty to the petitioner to approach the Land Acquisition Officer/NHAI so as to make out a case that despite notice, father of the petitioner, Late Surya



Narayan Mishra, had not received the amount of compensation.
If any representation is made along with a copy of the present order, the Court expects that the authorities shall consider the petitioner's grievance and take a decision within a period of three months thereafter.

This writ application stands disposed of.

(Chakradhari Sharan Singh, J)

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