

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16748 of 2019**

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Mangaleshwari Prasad Singh S/o Late Ram Sewak Singh, Resident of village  
- Fatehpur, P.O. - Salepur, Via - Chakand, P.S. - Belaganj, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department,  
Government of Bihar, Patna.
3. The Commissioner, Gaya.
4. The District Magistrate, Gaya.
5. The District Land Acquisition Officer, Gaya.
6. The Additional Collector-cum-Arbitrator, Gaya- NH 83.
7. The Project Director, National Highway Authority of India (Project  
Implementation Unit, Gaya, House No. 70/224, Chankayapuri Colony,  
Gaya)
8. The Circle Officer, Belaganj, Gaya.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Surendra Pd. Singh  
For the Respondent/s : Mr.Subash Chandra Yadav (Gp15)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      20-08-2019                      Heard both sides.

The petitioner in this writ petition seeks quashing of  
the order passed by the respondent No.6 and for a direction to  
respondent Nos.3 to 7 to provide compensation of the lands  
acquired for widening of the road as commercial land.

From bare perusal of the provision as contained in  
Section 3 of the National Highway Act, 1956, it appears that  
there is a procedure for acquisition of land and inviting  
objections and on such, under Section 3(c), the authority is



bound to hear on the objections of the landlord. It appears that authority concerned after hearing the objection of the landlord passed the order fixing the compensation of the land and the award has already been prepared.

In this view of the fact, if the petitioner is aggrieved by the order passed, under Section 3(G) of the Act, there is a provision to move before the competent authority against the order fixing the compensation.

Taking into consideration the facts aforesaid, I do not find any merit in this writ petition. Accordingly, the same is dismissed with liberty to the petitioner, being aggrieved by the award, to move before the competent authority as provided under the Act.

**(Prabhat Kumar Jha, J)**

Saurabh/-

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