

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17487 of 2019

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Ram Kumar Tripathi, Aged about 77 years, Male, S/o Late Sudarshan Tiwary,
Resident of Village + Post- Belauti, P.S.- Shahpur, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Commissioner, Patna Division cum Arbitrator, Patna Division at Patna.
3. The Arbitration Officer cum Additional Collector, District- Bhojpur at Arrah.
4. The District Land Acquisition Officer, Jagdishpur, Bhojpur at Arrah.
5. The LRDC, Jagdishpur, Bhojpur at Arrah.
6. The Circle Officer, Shahpur, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Dr. Anshuman, Advocate
For the State	:	Mr. Sajid Salim Khan, SC25
For the N.H.A.I.	:	Mr. S.N. Pathak, S.C., NHAI

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-08-2019 Heard Dr. Anshuman, the learned counsel appearing
on behalf of the petitioner and the learned A.C. to SC 25.

Learned counsel for the petitioner seeks relief for a
direction to the Arbitrator to dispose of the objection of the
petitioner. Admittedly by notification published in official
gazette on 20th of April, 2010, the land of the petitioner was
proposed to be acquired for construction of National Highway
84. The petitioner filed objection with regard to nature and area
of land.

Learned counsel for the petitioner submits that no
order was passed on the objection of the petitioner nor the



petitioner was heard as required under Section 3C of the National Highways Act, 1956. It is submitted that the matter has been referred to the Arbitrator and the Commissioner, Patna is appointed as Arbitrator. The petitioner was noticed on 16.12.2018 that the record was sent to the Commissioner, Patna who was appointed as Arbitrator to decide the objection of the petitioner.

In this view of the fact, I dispose of this writ petition with a direction to the Arbitrator to hear the petitioner and pass order in accordance with law on the objection of the petitioner preferably within six months from the date of receipt of this order.

With the aforesaid direction, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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