

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.872 of 2022

1. Uma Devi (Awardi No. 5), aged about 54 years, Female Wife of Late Nand Kishor Prasad.
2. Surendra Prasad, (Awardi No. 6 and 11), aged about 45 years, Male Son of Late Baleshwar Yadav.
3. Harinandan Prasad (Awardi No. 7), aged about 59 years, Male Son of Late Ghamandi Yadav.
4. Kunti Devi (Awardi No. 8 and 13), aged about 45 years, Female Wife of Surendra Prasad.
5. Anup Narayan Prasad (Awardi No. 9- and 14G), aged about 72 years, Male Son of Late Parmeshwar Prasad.
6. Ramunwa Devi (Awardi No. 9 K), aged about 52 years, Female, Wife of Late Dhanraj Prasad.
7. Vijendra Yadav @ Vijendra Gope (Awardi No. 12), aged about 56 years, Male Son of Late Khelawan Yadav.
8. Chhotan Yadav (Awardi No. 12K), aged about 57 years, Male, Son of Late Khelawan Yadav.
9. Lalati Devi (Awardi No. 12Kh), aged about 50 years, Female Wife of Late Vijeet Yadav @ Birju Yadav.
10. Surydev Prasad (Awardi No. 14), aged about 52 years, Male Son of Late Kewal Yadav.
11. Tulsi Prasad (Awardi no. 14K), aged about 52 years, Male Son of Late Saryug Prasad.
12. Mishri Prasad (Awardi No. 14Kh), aged about 71 years, Male Son of Late Prayag Yadav.
13. Rampravesh Kumar (Awardi No. 14 Gh), aged about 52 years, Male Son of Lakhani Yadav.
14. Yogendra Yadav (Awardi No. 15), aged about 48 years, Male Son of Late Ganauri Yadav.
15. Vijay Kumar (Awardi No. 33K), aged about 56 years, Male, Son of Late Basudeo Prasad.
All residents of Village- Nakatpura, P.S. Biharsharif, District- Nalanda.
16. Babita Sinha (Awardi No. 13K), aged about 45 years, Female Wife of Vijay Prasad, Resident of Village - Dhobi Bigha, P.S. District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar, the Principal Secretary, Revenue and Land Reform Department, Bihar, Patna.
2. The Collector, Nalanda.
3. The Additional Collector, Nalanda.
4. The Competent Officer cum District Land Acquisition Officer, Nalanda.



5. The Deputy Collector Land Reforms, Biharsharif, Nalanda.
6. The Anchal Adhikari Biharsharif, Nalanda.
7. Union of India through Director, National Highway Authority of India, Bihar Unit, Patna.
8. The Executive Engineer, National Highway Authority of India, (NHAI), Division - 2, Bhaisasur, Old Ranchi Road, Biharsharif, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Advocate
For the Respondent/s	:	Mr. Sajid Salim Khan, SC 25
For the NHAI	:	Mr. S. N. Pathak, Advocate

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 31-03-2022 Heard the parties.

In the writ petition, the petitioners have prayed as
under:-

“That this is an application for issuance of an appropriate writ/order/direction particularly, in the nature of writ of mandamus, commanding upon the respondent authorities to make payment of compensation amount of the acquired lands of the petitioners at the rate of commercial land after deduction of the paying amount and for any other relief/s for which the petitioners may be found entitled to in the facts and circumstances of the case.”

Admittedly, the remedy lies in filling of an application before Arbitrator in terms of Section 3 G (5) of the Act, 1956, if a person aggrieved on the adequacy of compensation or otherwise.



Keeping in view the provisions under Section 3 G (5) of the Act of 1956, this Court deem it appropriate to allow the petitioners to approach the concerned Commissioner, who acts as an Arbitrator for matters relating to NHAI, for claiming the interest amount or any additional amount if he may choose.

Considering the aforesaid the writ petition is dismissed with the liberty aforesaid.

(Sanjeev Prakash Sharma, J)

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