

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1236 of 2022

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Jagdish Singh S/o Late Nand Kumar Singh Resident of Village- Srirampur
Itawa, P.S.- Garkha, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Deptt. of Revenue and Land Development, Govt. of Bihar, Patna.
3. The Commissioner, Saran, Chapra.
4. District Collector-cum-Magistrate, Saran.
5. The District Land Acquisition Officer, Saran.
6. Addl. District Magistrate-cum-1st Appellate Authority, Saran, Chapra.
7. Sub-Divisional Officer, Chapra Sadar, Saran.
8. B.D.O., Garakha, Saran.
9. Circle Officer, Garkha, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar, Adv.

For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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

ORAL ORDER

2 12-05-2022 Heard the parties.

The case is being taken up from defect side.

Learned counsel for the petitioner is directed to
submit the original petition along with attested affidavits and
also remove all the defects pointed out by the Registry within
two weeks from today.

Admittedly, Section 3-G (5) of the National Highway
Act of 1956 reads as under:-

*“If the amount determined by the competent
authority under sub-section (1) or sub-section (2) is not*



acceptable to either of the parties, the amount shall, on an application by either of the parties, be determined by the arbitrator to be appointed by the Central Government.”

Section 3-G (6):- “Subject to the provisions of this Act, the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) shall apply to every arbitration under this Act.”

Considering the aforesaid provision, the prayer made by the petitioner for enhancing the compensation as awarded for acquisition of the land for National Highway to be on the lower side can be best examined by the competent authority and thereafter through arbitration. If such an application is moved by the petitioner, the same shall be entertained and the order shall be passed expeditiously.

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

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 11

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