

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1491 of 2022

=====

Triveni Yadav @ Triveni Gope S/o Late Gobind Yadav R/o Village- Mirzapur,
P.O. and P.S.- Sabour, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Bhagalpur.
2. The Collector, Bhagalpur.
3. The Land Acquisition Officer, Bhagalpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sri Niwas Jha, Adv.
For the Respondent/s : Mr.Raj Kishore Roy (Gp18)

=====

**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. 20

U			
---	--	--	--

