

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.672 of 2019

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Deo Narayan Choudhary, Son of Late Lochhan Choudhary, Resident of
Village- Ganpatganj Dharahara, P.S.- Raghapur, District- Supaul.

... .. Petitioner/s

Versus

1. The Union of India
2. The Administrator National Highway Authority of India.
3. The Collector Supaul.
4. The Additional Collector-cum-Arbitrator, Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashwani Kumar Tiwary, Advocate
Mr. Nagendra Upadhaya, Advocate
Mr. Mahendra Pathak, Advocate

For the Respondent/s : Mr. S.N.Pathak, Advocate
Mr. Saurav Nikunj, Advocate

For the State : Mr. Dhurjati Kumar Prasad, GP-14

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 17-10-2022

Petitioner has prayed for the following relief(s):-

“For issuance of a writ in the nature of certiorari for quashing the order dated 27.03.2018 passed by Additional Collector-cum-Arbitrator, Supaul in Arbitration case No. 16/2016 as the said order highly unjust and illegal and further issuance of a writ in the nature of mandamus directing the respondents to pay the amount of compensation for 0.04 decimal of land which was acquired on N.H.-106 for its wideness and straightness at the rate of Rs. 1,10,000/- per



decimal which amount is fixed for the compensation for commercial land on N.H.-106.”

After the matter was heard for some time, finding the Court not be in favour with the submission made across the Bar, learned counsel appearing on behalf of the petitioner, under instructions, states that petitioner may be permitted to prefer an appeal against the order impugned before the appropriate Authority and/or take appropriate remedy under the Statue.

Permission granted.

We only hope and expect the appropriate authority to consider and decide the appeal on its own merit and with reasonable dispatch.

Needless to add, period for which the petitioner has been pursuing the matter before this Court, shall be excluded for the purpose of computing limitation.

We clarify that we have not expressed any opinion on merits. All issues are left open.

Learned counsel for the parties undertake to fully co-operate and not take any unnecessary adjournment in such proceedings.

The present petition stands disposed of with the



liberty aforesaid.

Interlocutory application, if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	20.10.2022
Transmission Date	

