

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14805 of 2021

1. Surendra Prasad Singh Son of Ram Kuver Singh Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
2. Raj Grihi Sah S/o Kanhaiya Sah Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
3. Mohan Prasad Son of Ram Adhar Prasad Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
4. Nathuni Prasad S/o Ram Adhar Prasad Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
5. Lachi Devi W/o Late Keshav Pandit Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
6. Jay Shankar Singh S/o Late Ramayan Singh Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
7. Chandeshwar Singh S/o Late Jagar Nath Singh Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
8. Ayodhya Sah S/o Late Kanhaiya Sah Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
9. Ambika Prasad S/o Late Shivpujan Ram Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
10. Shyam Sundar Singh S/o Mukha Singh Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
11. Bagedu Bind S/o Late Yadu Bind Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
12. Amla Prasad Singh S/o Late Ram Adhar Singh Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
13. Umesh Prasad Singh S/o Ramdhani Singh Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
14. Tulsi Ram S/o Late Doma Ram Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
15. Urmila Devi W/o Late Rajendra Singh Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)
16. Hanuman Ram S/o Late Ramji Ram Resident of Village- Karma, P.s.- Kudra, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The Union of India through its Principal Secretary, Road Transport and Highway Ministry, New Delhi
2. The Chief Project Director, National Highway Authority of India, New Delhi
3. The Project Director, National Highway Authority of India, Project Implementation Unit Sasaram, Situated at House of Sri Chandramadhav



- Singh, Opp. D.M. Residence, Fazalganj, Sasaram, Rohtas
4. The Divisional Commissioner, Patna Division, Patna
 5. The Executive Engineer, Building Division, Kaimur B.C.D., Kaimur, Bhabua
 6. The District Magistrate, District- Kaimur, Bhabua
 7. The District Land Acquisition Officer cum Competent Authority, Land Acquisition, District- Kaimur, Bhabua

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr.Ramchandra Singh, Advocate
For the Respondents	:	Dr. Krishna Nandan Singh (ASG)
For the NHAI	:	Mr.Mr. Prabhat Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-11-2022 Heard the parties.

It is an admitted fact that the award dated 08.09.2020 passed by the Arbitrator-cum-Divisional Commissioner, Patna is an ex parte award in which the petitioners were neither noticed nor heard.

Accordingly, the impugned order dated 08.09.2020 passed by the Arbitrator-cum-Divisional Commissioner, Patna as contained in Annexure-3 and impugned order dated 02.12.2022 passed by District Land Acquisition Officer, Kaimur at Bhabhua in L.A. Case No. 13 of 2020-21 as contained in Annexure-4 is set aside and this application is allowed.

The matter is remitted back to the Arbitrator-cum-Divisional Commissioner, Patna for fresh hearing.

Both the parties will appear before the Arbitrator-



cum-Divisional Commissioner, Patna on 05.12.2022 along with
a copy of this order and thereafter within four months the
Competent Authority of Land Acquisition (in short “CALA”)
will pass appropriate order.

(Sandeep Kumar, J)

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