

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6970 of 2020

1. Pinku Kumar Yadav Son of Ram Prakash Yadav resident of village- Bank, P.S.-Munger (Muffasil) District-Munger.
2. Sri Naresh Yadav Son of Late Babu Lal Yadav resident of village- Bank, P.S.-Munger(Muffasil) District-Munger.
3. Nand Kishore Yadav Son of Late Babu Lal Yadav resident of village- Bank, P.S.-Munger (Muffasil) District-Munger.
4. Mosmat Kiran Devi W/O Late Kedar Yadav resident of village- Bank, P.S.-Munger (Muffasil) District-Munger.
5. Subodh Prasad Prabhakar Son of Mohan Yadav resident of village- Bank, P.S.-Munger (Muffasil) District-Munger.
6. Nawal Kishore 'Nawal' Son of Mohan Yadav resident of village- Bank, P.S.-Munger (Muffasil) District-Munger.
7. Birendra Kumar son of Mohan Yadav resident of village- Bank, P.S.-Munger (Muffasil) District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Revenue and Land Reforms Department, govt. of Bihar, Patna
2. The Divisional Commissioner, Munger Division, Munger
3. The District Magistrate Munger
4. Competent Authority-cum-district Land Acquisition Officer, Munger
5. Addl. District Magistrate, Munger.
6. The Sub-Divisional officer, Munger.
7. The Deputy Collector Lands Reforms, Munger
8. Circle Officer, Jamalpur, District- Munger.
9. The Engineer-in-Chief-cum Secretary, National Highways, Bihar, Patna.
10. The Executive Engineer, National Highways, Division Road Construction Department, Munger.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Dronacharya, Mr. Arghesh Kumar, Advocates
For the Respondents	:	Mr. Sajid Salim Khan (SC25)
For the NHAI	:	Mr. S.N. Pathak, S. C.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 21-06-2022

Heard the parties.



Petitioner has assailed the order dated 21.01.2020 passed by the Divisional Commissioner, Munger in Land Acquisition Case No. 144 of 2018.

It has been submitted by learned counsel for the petitioner and learned counsel for the NHAI that the order dated 21.01.2020 is an award under Section 3-G(5) of the National Highways Act, 1956 and therefore, the writ petition is not maintainable.

Considered the submissions of the parties.

It is well settled law that any award by an Arbitrator can be challenged under Section 34 of the Arbitration and Conciliation Act, 1996 and not in writ jurisdiction.

This writ petition is permitted to be withdrawn with liberty to the petitioner to file an application under Section 34 of the Arbitration and Conciliation Act, 1996.

Limitation, if any, shall be dealt with under Section 34 of the aforesaid Arbitration Act in accordance with law.

(Sandeep Kumar, J)

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