

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6020 of 2022

1. Jawaharlal Singh Son of Late Jagarnath Singh Resident of Village-Sadanandpur Waisa, P.O.-Nandlalpur, P.S.-Kahalgaon, District-Bhagalpur
2. Sudha Devi @ Sudha Rani Singh Wife of Jawaharlal Singh Resident of Village-Sadanandpur Waisa, P.O.-Nandlalpur, P.S.-Kahalgaon, District-Bhagalpur
3. Sanjay Kumar Singh Son of Jawaharlal Singh Resident of Village-Sadanandpur Waisa, P.O.-Nandlalpur, P.S.-Kahalgaon, District-Bhagalpur
4. Akhilesh Kumar Singh Son of Jawaharlal Singh Resident of Village-Sadanandpur Waisa, P.O.-Nandlalpur, P.S.-Kahalgaon, District-Bhagalpur
5. Mostt. Renu Devi Wife of Late Kamlesh Kumar Singh, Son of Jawaharlal Singh Resident of Village-Sadanandpur Waisa, P.O.-Nandlalpur, P.S.-Kahalgaon, District-Bhagalpur
6. Suresh Prasad Singh Son of Late Janardan Prasad Singh Resident of Village-Sadanandpur Waisa, P.O.-Nandlalpur, P.S.-Kahalgaon, District-Bhagalpur
7. Ramesh Chandra Kushwaha Son of Late Janardan Prasad Singh Resident of Village-Sadanandpur Waisa, P.O.-Nandlalpur, P.S.-Kahalgaon, District-Bhagalpur

... .. Petitioner/s

Versus

1. The Union of India through Director, National High Way, New Delhi.
2. The Competent Authority, National High Way, Munger, Mirza Chowki Section Project.
3. The State of Bihar through the Commissioner-Cum-Secretary, Department of Revenue, Bihar, Patna.
4. The District Magistrate-Cum-Collector, Bhagalpur.
5. The District Land Acquisition Officer, Bhagalpur.

... .. Respondent/s

Appearance :For the Petitioners : Mr.Pravina Kumari, Advocate
Mr. Birendra Kumar
For the Respondents : Md.Said Salim Khan (SC25)
Md. Hashi Ahmmed Khan
For the NHAI : Mr. S. N. Pathak (SC)
Mr. Saurav Nikunj

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 21-09-2022 Heard the parties.

Learned counsel for the petitioner is permitted to



withdraw this application so that he may file his claim before the Divisional Commissioner-cum-Arbitrator, Bhagalpur under Section 3G(5) of National Highway Act, 1956.

The learned counsel for the State and NHAI have no objection to the same.

The writ petition is permitted to be withdrawn with the liberty the petitioner to move Divisional Commissioner-cum- Arbitrator,Bhagalpur within thirty days from today.

The Arbitrator will decide the matter within four months after hearing the parties and pass a reasoned order in accordance with law. He will consider all the claims of the petitioner including the objection on the classification of land which has been acquired, had a house over it and the respondents are trying to give compensation treating the land to be agricultural land. All the evidences produced by the petitioner shall be considered and dealt by the Arbitrator in his final order.

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

(Sandeep Kumar, J)

BT/ Harsh

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