

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10325 of 2021

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- 1.1. Jiwan Singh S/o Late Brij Mohan Singh, R/o 0186, Chauhan Niwas, Cantt Road, West of D.A.V. Public School, Lekha Nagar, Khagaul, Patna, Bihar-801503
 - 1.2. Laxman Prasad Singh, S/o Late Brij Mohan Singh, R/o Flat No. 102, Block-A, Quaality Campus, Garbhu Path, Near Mazar, B.V. College, Patna, Bihar-800014.

... .. Petitioners

Versus

1. The Union of India Through the Secretary, Ministry of Road Transport and National Highway, New Delhi.
2. The National Highway Authority of India under the Ministry of Road Transport and Highways Govt. of India, New Delhi.
3. The Project Director, Project Implementation Unit, National Highway Authority, at Muzaffarpur, Bihar.
4. The Project Director, Project Implementation Unit, National Highway Authority, At Darbhanga, Bihar.
5. The State of Bihar Through the Principal Secretary Cum Commissioner, Road Construction Department, Bihar, Patna.
6. The Principal Secretary Cum Commissioner, Department of Revenue And Land Reforms, Bihar, Patna.
7. The Director, Land Acquisition, Department of Revenue and Land Reforms, Bihar, Patna.
8. The District Magistrate, Muzaffarpur.
9. The Competent Officer Cum District Land Acquisition Officer, Muzaffarpur.
10. Circle Officer, Circle Office, Gaighat, Muzaffarpur.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Dayanand Singh, Adv. Ms. Pallavi Trivedi, Adv. Mr. Nagadeo Chaubey, Adv.
For the Union of India	:	Mr. Dr. K. N. Singh (A.S.G.)
For the State	:	Mr. Sajid Salim Khan S.C.-25
For NHAI	:	Mr. S.N. Pathak, Adv. Mr. Saurav Nikunj, Adv.



CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 10-11-2022 Heard Sri Dayanandan Singh, learned counsel for the petitioner, Dr. K.N. Singh, learned Additional Solicitor General of India, Sri Sajid Salim Khan, learned counsel for the State and Sri S.N. Pathak learned counsel for the National Highways Authority of India (N.H.A.I.).

A counter affidavit has been filed by the N.H.A.I. wherein it has been admitted that the petitioner is entitled for compensation under the new Act.

Sri S.N. Pathak, learned counsel for the N.H.A.I. submits that the petitioner is entitled for compensation and all the formalities for payment of compensation to the petitioner under the new Act shall be completed by the N.H.A.I. and the State within a period of four months from today.

Considering the above submission of learned counsel for the NHAI, this writ petition is allowed with a direction to the N.H.A.I. to do the needful and pay the compensation to the petitioner within a period of four months from today.

In case the present order is not complied by the N.H.A.I., the petitioner will be at liberty to file an Interlocutory Application for reviving this writ petition.



With the aforesaid observations and directions, this writ petition stands allowed.

(Sandeep Kumar, J)

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