

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8156 of 2022

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1. Devendra Pratap Singh S/o Ambika Prasad Singh Resident of Village-Devariya, P.O.- Bhatti, P.S.- Mohania, District- Kaimur (Bhabua).
 2. Kamlawati Devi S/o Bashisth Muni Sharma Resident of Village- Lalapur, P.O.- Kudra, P.S.- Kudra, District- Kaimur (Bhabua).
 3. Kisun Ram S/o Dukhi Ram Resident of Village- Ameth, P.S.- Mohania, District- Kaimur.
 4. Ram Sinhasan Tiwari S/o Jangee Tiwari Resident of Village- Muthani, P.S.- Mohania, 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 District Magistrate, District Kaimur, Bhabua.
6. The District Land Acquisition Officer cum Competent Authority, Land Acquisition, District Kaimur, Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ramchandra Singh, Advocate
For the Respondent/s	:	Mr. Additional Solicitor General

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 19-12-2022

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 petitioner was neither noticed nor heard.

Accordingly, the impugned order dated 08.09.2020



passed by the Arbitrator-cum-Divisional Commissioner, Patna (Annexure-IV) and impugned order dated 17.11.2020 passed by DLAO, Kaimur (Annexure-V) 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 20.04.2023 along with a copy of this order and thereafter within two months the Competent Authority of Land Acquisition in short “CALA” will pass appropriate order.

(Sandeep Kumar, J)

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