

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8775 of 2020

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Hasibur Rahaman S/o Late Sagir Ansari, Resident of Mohalla - Hariganj, P.S. Muffasil, District Katihar, PIN - 854105.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Kaithar, District - Katihar.
2. The District Land Acquisition Officer, Katihar, S.D.O. Office Compound, District Katihar.
3. The D.C.L.R. Katihar, S.D.O. Office Compound, District - Katihar.
4. The Circle Officer, Katihar, Sadar Anchal, District - Katihar.
5. The Executive Engineer, National Highways Division, Purnea, District - Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Ms. Anukriti Jaipuriyar Mr. Anshuman Jaipuriyar, Advocates
For the Respondents	:	Mr. Md. Khurshid Alam, AAG 12
For the Union of India	:	Dr. K. N. Singh, Addl. Sol. General Mrs. Punam Kumari Singh, CGC
For the NHAI	:	Mr. S.N. Pathak, SC Mr. Saurav Nikunj, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

15 13-07-2022 Heard the parties.

The only remedy available to the petitioner is to approach the Arbitrator for arbitration under Section 3-G(5) of the National Highways Act, 1956. The Arbitrator will exercise his power properly.

Considering the fact that the writ petition has been heard at length and all the points raised by the petitioner shall be considered by the Arbitrator so that the grievance of the petitioner is redressed, the Arbitrator is directed to conclude the



arbitration proceeding at the earliest because the project which is under construction is important project and considering the fact that the matter is being sent to the Arbitrator otherwise the Court would have interfered. If the Arbitrator fails in his duty in passing the order in accordance with law, this Court will take serious notice of the same. The Arbitrator must decide the arbitration proceeding within three months from the date of receipt/production of a copy of this order.

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

(Sandeep Kumar, J)

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