

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18411 of 2021

=====

Aditya Narayan Singh S/o Late Bihari Singh Resident of Village- Barej, P.S.-
Mohania, P.O. Belauidi, District- Kaimur (Bhabhua).

... .. 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 Arbitrator-Cum-Divisional Commissioner, Patna Division, Patna.
5. The District Magistrate, Kaimur at Bhabhua.
6. The District Land Acquisition Officer-Cum-Competent Authority, Land Acquisition, Kaimur at Bhabhua.

... .. Respondent/s

=====

Appearance :

For the Petitioner	:	Mr.Dilip Kumar No. 1, Advocate
For the Respondents	:	Dr. Krishna Nandan Singh (ASG)
For the U.O.I	:	Ms. Kanak Verma, CGC
For the State	:	Mr. Asif Kalim, AC to AAS-12
For the NHAI	:	Dr. Anand Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 14-11-2022 Heard the parties.

In paragraph 17 of the writ petition, the petitioner has made specific statements that the impugned order dated 08.09.2020 passed by Commissioner-cum- Arbitrator, Patna has passed without issuing notice to the petitioner and without hearing him.

The response of paragraph 17 of the writ petition has been made in paragraph 23 of the counter affidavit and this fact



has not been denied.

In view of the admitted fact that the impugned order has been passed without hearing the petitioner, this writ petition is allowed. The order dated 01.12.2020 passed by the District Land Acquisition Officer, Kaimur at Bhabhua in L. A. Case No. 19 of 2020-21 is hereby quashed.

This matter is remitted back to the Commissioner-cum- Arbitrator, Patna to decide the matter in accordance with law afresh after hearing the parties. Parties will appear before the the Commissioner-cum- Arbitrator, Patna on the date of hearing fixed therein.

(Sandeep Kumar, J)

Harsh/ BT

U			
---	--	--	--

