

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2593 of 2022

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1. Md. Haseen Ahmad Son of Late Matiur Rahman Resident of Village-Gaiyari Ward No.14 Purab Tola, Near Masjid Ansar Gaiyari P.S. Araria, District- Araria.
 2. Md. Muntasir Alam Son of Late Matiur Rahman Resident of Village-Gaiyari Ward No.14 Purab Tola, Near Masjid Ansar Gaiyari P.S. Araria, District- Araria.
 3. Md Marghub Alam Son of Late Matiur Rahman Resident of Village- Gaiyari Ward No.14 Purab Tola, Near Masjid Ansar Gaiyari P.S. Araria, District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar.
2. The District Magistrate, District- Araria.
3. The District Land Acquisition Officer, District Purnea.
4. The Chief General Manager (LA) National Authority Highway of India.
5. The Deputy Chief Manager (LA) National Highway Authority of India, The Regional Office at D-63 1st Floor Sri Krishnapuri Patna-1, Bihar.
6. The Project Director, Araria- Purnea National Highway Authority of India Four Lane Road N.H.- 57.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nadimul Hasan, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha (Sc19)
For State-respondent	:	Mr. Birendra Kumar Sinha, Advocate
For the NHAI	:	Mr. Kumar Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-10-2023

1. Heard the learned counsel for the parties.

2. This writ application has been filed for commanding the respondents to make payment of compensation of the land which was acquired by the respondents for the purpose of widening and strengthening four lane of N.H. 57.

3. At the outset, learned counsel for the N.H.A.I. submits that petitioners had statutory alternative remedy of making appropriate application before the competent authority prescribed under Section 3(H) Sub-clause 4 of the N.H. Act,



1956 for redressal of his grievances.

4. Section 3(H) Sub-Clause 4 of the N.H. Act, 1956

reads as follows:-

“(4) If any dispute arises as to the apportionment of the amount or any part thereof or to any person to whom the same or any part thereof is payable, the competent authority shall refer the dispute to the decision of the principal civil court of original jurisdiction within the limits of whose jurisdiction the land is situated.”

5. Learned counsel for the petitioners does not dispute the above proposition.

6. In view of the prayer made on behalf of the petitioners, this writ petition is disposed of with a direction to the petitioners to move before the competent authority in accordance with law within a period of four weeks from today.

7. In the event, such representation is filed by the petitioners, the competent authority of N.H.A.I. shall examine the claim of the petitioners and pass a reasoned and speaking order in accordance with law after hearing the parties preferably within a period of six months from the date of filing of the appropriate application.

(Prabhat Kumar Singh, J)

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