

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6357 of 2021

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1. Vinod Prasad Singh S/o Late Shyamta Singh Resident of village and P.o.- Nadawan, P.s.- Dhanarua, District- Patna
 2. Nawlesh Kumar S/o Late Bashistha Narayan Sharma Resident of village and P.o.- Nadawan, P.s.- Dhanarua, District- Patna
 3. Manoj Kumar S/o Late Bashistha Narayan Sharma Resident of village and P.o.- Nadawan, P.s.- Dhanarua, District- Patna
 4. Jhulan Sharma S/o Late Ambika Singh Resident of village- Nadawan, P.s.- Dhanarua, District- Patna, at present residing at Mitra Mandal Colony (Phase 2), P.s.- Phulwari, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue, Bihar
2. The Commissioner, Patna
3. The District Magistrate, Patna
4. The District Land Acquisition Officer, Patna
5. The Sub Divisional Officer, Masaudhi, District- Patna
6. The Circle Officer, Dhanarua, District- Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Onkar Nath
For the Respondent/NHAI: Mr. S.N. Pathak, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-01-2023 Land of the petitioners bearing Khata No. 578, Khesra No. 1847 in Thana No. 161, Mauza – Nadwan has been acquired by the National Highway Authority of India (for short “N.H.A.I.).

The grievance of the petitioners is that compensation of the subject land acquired by the N.H.A.I. is not adequate and for enhancement of the same the



petitioners have filed representation before the District Collector, Patna.

Mr. S.N. Pathak, learned counsel appearing for the N.H.A.I. submits that as per the Section 3-G(5) of the National Highways Act, 1956 (hereinafter referred to as “N.H. Act”) “if the amount determined by the competent authority under sub-section (1) or sub-section (2) is not acceptable to either of the parties, the amount shall, on an application by either of the parties, be determined by the Arbitrator to be appointed by Central Government”. He next submits that now the Central Government has notified Divisional Commissioner of the area as Arbitrator under the N.H. Act.

In view of the aforesaid, the petitioners are directed to file their claim for enhancement of the compensation amount as per Section 3-G(5) of the N.H. Act before the Arbitrator i.e. Divisional Commissioner, Patna within a period of four weeks from today. If such a claim is filed within the aforesaid time, the learned Arbitrator shall decide the same in accordance with law giving opportunity of hearing to all concerned and will pass a reasoned order



within a period of six months thereafter.

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

(Anil Kumar Sinha, J)

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