

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8804 of 2021

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1. Shailendra Singh Son of Late Kashinath Singh Resident of village and P.o.- Dalsagar, P.s.- Buxar (Industrial), District- Buxar
 2. Munna Singh Son of Late Kashinath Singh Resident of village and P.o.- Dalsagar, P.s.- Buxar (Industrial), District- Buxar
 3. Raj Bihari Singh Son of Late Ram Govind Singh Resident of village and P.o.- Dalsagar, P.s.- Buxar (Industrial), District- Buxar
 4. Suraj Prasad Singh Son of Late Ram Govind Singh Resident of village and P.o.- Dalsagar, P.s.- Buxar (Industrial), District- Buxar
 5. Bhola singh Son of Late Ram Govind Singh Resident of village and P.o.- Dalsagar, P.s.- Buxar (Industrial), District- Buxar
 6. Ram Awadhesh Singh Son of Late jagpati Singh Resident of village and P.o.- Dalsagar, P.s.- Buxar (Industrial), District- Buxar
 7. Ramesh Singh Son of Late jagpati Singh Resident of village and P.o.- Dalsagar, P.s.- Buxar (Industrial), District- Buxar
 8. Ram Suresh Singh Son of Late Jagpati Singh Resident of village and P.o.- Dalsagar, P.s.- Buxar (Industrial), District- Buxar
 9. Urmila Devi Wife of Late jawahar Singh Resident of village and P.o.- Dalsagar, P.s.- Buxar (Industrial), District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Commissioner, Patna Division, Patna
3. The District Collector, Buxar
4. The Arbitrator cum Additional Collector, Buxar
5. The Circle Officer, Buxar, Anchal- Buxar, District- Buxar
6. The Executive Engineer, Building Construction Division, Buxar
7. The Project Director, National Highway Authority of India, Project Implementation Unit, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Mohan Singh, Advocate
For the State	:	Mr. Sajid Salim Khan (Sc25)
		Mr. W . A . Khan (A C to S C 25)
For NHAI	:	Mr. S. N Pathak (SC , NHAI)
		Mr. Saurav Nikunj

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER



2 10-10-2023 Heard learned counsel for the parties.

2. This writ application is filed by the petitioners for for directing the respondents to declare acquired land of the petitioner as Residential nature of village- Dalsagar, P.S. Buxar (Ind.) District- Buxar of Chak Khata No. 260, Chak Plot No. 436 of area 0.078 Hectare (97 decimal), while a notification was notified/ published in daily News paper dated 19.01.2010 by the Ministry of Road Aviation & National Highway, Central Government vide Notification No. 2096 to acquired land for widening of NH-84 (Patna- Buxar Highway) and shown the petitioners's land as Agricultural nature, while the lands situated beside the petitioners land was shown in the same notification either Residential or commercial nature and on aforesaid land of the petitioners constructed Pukka houses/ buildings about 25 years back and they have resided in their houses peacefully .

3. After some argument, learned counsel for the petitioners submits that the petitioners have already moved before the competent authority under Section 3G(5) of the NH Act, 1956, by way of filing an application as Annexure-2 to this writ petition, but till date, it is pending before the concerned authority for disposal.

4. In the facts and circumstances of the case, this writ



petition is disposed of with a direction to respondent No. 2 to examine the claim of the petitioners vide annexure-2 of the writ petition and pass a reasoned and speaking order in accordance with law, preferably within a further period of six months from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of with the aforesaid observation.

(Prabhat Kumar Singh, J)

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