

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6926 of 2015

- 1.1. Md. Khabir Uddin Son of Late Shakhe Aabir @ Abir, Resident of Village - Lalganj Teghara English, Post Office and Police Station - Pranpur, District - Katihar.
- 1.2. Md. Nakiruddin, Son of Late Shakhe Aabir @ Abir, Resident of Village - Lalganj Teghara English, Post Office and Police Station - Pranpur, District - Katihar.
- 1.3. Md. Zamir Uddin, Son of Late Shakhe Aabir @ Abir, Resident of Village - Lalganj Teghara English, Post Office and Police Station - Pranpur, District - Katihar.
- 1.4. Md. Yanus, Son of Late Shakhe Aabir @ Abir, Resident of Village - Lalganj Teghara English, Post Office and Police Station - Pranpur, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Commissioner, Purnia.
2. The Collector, Katihar (District - Katihar).
3. The Sub-Divisional Officer (S.D.O.) Katihar.
4. The District Land Acquisition Officer, Katihar.
5. The Block Development Officer, Pranpur Katihar.
6. The Circle Officer (C.O.) Pranpur, Katihar.
7. Shake Khush Mohamad, Son of Shake Muslim, Resident of village- Lalganj Teghara English, P.O. and P.S. Pranpur, District- Katihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sandeep Patil, Advocate.
For the Respondent/s	:	Mr. Ajit Kumar,
For the NHAI	:	Mr. S.N. Pathak, Advocate.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 31-01-2023 The grievance of the petitioner is that the land was acquired by the National Highway Authority for the purpose of construction of Lalganj, Katihar Road, Distt. Katihar, but the compensation has not been given to the petitioner and the same has been given to respondent No. 7.

Mr. S.N. Pathak, learned counsel appearing for



National Highway Authority of India relied upon Section 3H4 of National Highway Act, 1956 and submits that dispute regarding the wrong payment 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.

I have heard learned counsel for the parties.

Taking into consideration the fact that compensation has not been paid to the petitioner and according to the petitioner, the petitioner is owner of the land, but the same has wrongly been paid to respondent No. 7, accordingly, I direct the petitioner to raise his claim before the competent authority for land acquisition (CALA) who in turn will refer the matter before the principal civil court of original jurisdiction in accordance with the provisions of Section 3H4 of National Highway Act for adjudication.

(Anil Kumar Sinha, J)

S.Ali/-

U			
---	--	--	--

