

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5814 of 2023

1. Suresh Chandra Jauhari S/o Late Ram Narayan, resident of mohalla - Mahajan Toli Navratan Bazar, P.O. and P.S. Sasaram, District - Rohtas.
2. Sudama Singh, S/o Ramavtar Singh, resident of Karan Sarai, P.O. Sasaram, District - Rohtas.
3. Kamlelsh Singh, S/o Anirudh Singh in front of D.M. Colony, Fazalganj, Sasaram, Rohtas.
4. Ranvijay Pratap Singh, son of Kulbansh Singh, resident of Nishan Nagar Baddi, Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reform Govt. of Bihar, Patna.
2. The Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The District Magistrate, Sasaram.
5. The Land Acquisition Officer, Sasaram.
6. The Deputy Collector, Land Reforms Rohtas, Sasaram.
7. The Sub Divisional Officer, Rohtas, Sasaram.
8. The Circle Officer, Shivsagar, Rohtas.
9. The Director of Consolidation Officer, Bihar, Patna.
10. The National Highway Authority for NH- 2 Shivsagar, Rohtas (Newly NH-19), Dist. - Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Choubey, Adv.
For the Respondent/s	:	Mr. Rishi Raj Sinha (SC-19)
	:	Mr. Manoj Kumar Sinha, AC to SC-19
For the NHAI	:	Mr. Manoj Kumar Sinha, Adv.
	:	Mr. Dr. Anand Kumar, Adv.
	:	Mr. Ramesh Gupta, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioner, learned counsel for the N.H.A.I. and learned counsel for the State.

2. Counsel for the petitioner submits that the present writ petition has been filed for payment of enhanced compensation amount and land of the petitioner was acquired for construction of National Highway. Counsel submits that the petitioner filed

representation before *Pariyojana Nideshak* (Annexure-3) but no action has taken place till date.

3. Counsel for the N.H.A.I submits that the land has been acquired under the provision of National Highway. As such, it is guided by the National Highway Act, 1956 [Act No. 48 of 1956]. He further submits that award has already been prepared in this case and only remedy available to the petitioner is to file an application under Section 3 G(5) of the National Highway Act, 1956 [Act No. 48 of 1956] before the competent authority/Arbitrator-cum-Divisional Commissioner, Patna.

4. Counsel for the State also supports the argument of counsel of N.H.A.I.

5. In this view of the matter, this writ petition is disposed off with the direction to the petitioner to file an application under Section 3 G(5) of the National Highway Act, 1956 [Act No. 48 of 1956] within 4 weeks from the date of disposal and Arbitrator-cum-Divisional Commissioner, Patna is directed to file a reasoned and speaking order in this matter as expeditiously as possible.

(Dr. Anshuman, J.)

Ashishsingh/-

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