

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9478 of 2021

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Nagendra Kumar Singh @ Bholu Singh son of Late Satyanarayan Singh, R/o
Village-Konhwan, P.O.-Pasrama, P.S. and District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The District Magistrate-cum-Collector, Gopalganj.
3. The Additional Collector, Gopalganj.
4. The Competent Authority-cum-District Land Acquisition Officer, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Respondent/s : Mr. AG

Mr. Raj Kishore Roy, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-11-2023 Heard learned counsel for the petitioner, State and
the NHAI.

2. Present writ petition has been filed for directing the respondent authorities to pay the compensation to the petitioner for land acquired for construction of National Highway by determining compensation as per nature of land but till date no compensation has been paid and further for quashing the whole acquisition proceeding.

3. Learned counsel for the NHAI raises preliminary objection to the effect that an alternative remedy is available to the petitioners by way of filing appeal under Section 3G(5) of The National Highways Act, 1956 which reads as:



“If the amount determined by the competent authority under sub-section (1) or subsection (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 the Central Government.”

4. Learned counsel for the petitioner does not dispute the above proposition.

5. In the above view of the matter, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction.

6. Petitioner shall be at liberty to seek remedy before the appropriate forum as may be available to them in accordance with law.

7. Writ petition stands disposed of with the aforesaid observations.

(Prabhat Kumar Singh, J)

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