

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6038 of 2023

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Tej Narayan Yadav @ Tejnarayan Ray son of Late Darbari Yadav, Resident of
Village-Paithani Nathupur, P.O.-Pakri Anisabad, P.S.-Beur, District-Patna.

... .. Petitioner/s

Versus

1. Union of India through the Secretary, Ministry of Road Transport and Highway, New Delhi.
2. The State of Bihar through the Collector and District Magistrate, Patna.
3. The Director cum Special Secretary, Land Acquisition, Patna.
4. The Commissioner, Patna Division, Patna.
5. The District Land Acquisition Officer, Patna.
6. The Project Director, National Highway Authority, New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Girjanand Prasad, Advocate Mr. Arun Kumar Lal, Advocate
For the U.O.I.	:	Mr. Vandana Kishroe, Advocate
For the State	:	Mr. Md. Khurshid Alam, AAG-12
For the NHAI	:	Mr. Rajesh Shandilya, Advocate Mr. Vinayak Harshvardhan, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner, learned

counsel for the Union of India, learned counsel for the National

Highways Authority of India and learned counsel for the State.

2. The present writ petition has been filed for
enhancement of compensation amount which has been prepared
and petitioner has been received with objection.

3. Counsel for the petitioner submits that the
petitioner is entitled to receive the payment treating his land as
residential whereas his Award has been calculated treating his

land as agricultural. Counsel further submits that Annexure-4 is the information communicated to him under Section 3E of the National Highways Authority of India, 1956.

4. Counsel for the National Highways Authority of India submits that since Award has already been prepared and petitioner has accepted the Award with objection then in that case the liberty is available to the petitioner to file an application under Section 3G(5) of the National Highways Authority of India, 1956 before the Arbitrator-cum-Divisional Commissioner.

5. In this view of the matter, the present writ petition is disposed of directing the petitioner to file a fresh representation along with a copy of this order before the Arbitrator-cum-Divisional Commissioner, Patna raising all his points within four weeks, who shall decide his representation within nine months thereafter.

(Dr. Anshuman, J.)

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