

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 6617 of 2023

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Rekha Singh Wife of Late Ram Kumar Singh, Resident of Village-Kurkuri,
Ward No.-5, Police Station-Phulwari, Post Office-Phulwari Sharif, District-
Patna-801505.

... .. Petitioner/s

Versus

1. The National Highways Authority of India through its Chairman, New Delhi.
2. The State of Bihar through the Collector, Patna (District Land Acquisition Officer, N.H. 30A) Land Acquisition Branch, Collectorate Building at Patna.
3. The Anchaladhikari Barh, Anchal Office Barh, Post Office-Barh, Police Station-Barh, District-Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Nandan Prasad Singh, Adv.
For the State	:	Mr. Md. Khurshid Alam, (AAG-12)
		Mrs. Nutan Sinha, (AC to AAG-12)
For the N.H.A.I.	:	Mr. S. N. Pathak, Adv.
		Mr. Saurav Nikunj, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-09-2023 Learned counsel for the petitioner, learned counsel for
the N.H.A.I. and learned counsel for the State are present.

2. The present writ application has been filed for
enhancement of payment of compensation to the petitioner.

3. Learned counsel for the petitioner submits that the
land of the petitioner has been acquired for construction of
N.H.-30A relating to L.A. Case No. 131 of 2013-14.

4. Learned counsel for the petitioner further submits
that the petitioner is entitled to receive the payment on the value
fixed either commercial or residential but his price for payment

was fixed for agricultural purpose.

5. Learned counsel for the N.H.A.I. submits that the award has already been prepared in this case and the only remedy available to the petitioner to file application before the Arbitrator under Section 3G(5) of the National Highways Act, 1956, [48 of 1956].

6. In this background, the petitioner is directed to file an application under Section 3G(5) of the National Highways Act, 1956 before the Divisional Commissioner-cum-Arbitrator, Patna for enhancement of his claim and the Divisional Commissioner-cum-Arbitrator, Patna is directed to consider the claim of the petitioner on the basis of the documents provided by him and as well as the price and market value of the area.

7. It is directed to dispose of the application of the petitioner within nine months from the date of filing.

(Dr. Anshuman, J.)

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