

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5849 of 2023

Vijay Kumar Singh, S/o Rameshwar Prasad Singh, Resident of Village-
Ageya, P.S.- Goreakothi, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Siwan.
2. The District Magistrate, Siwan.
3. The Competent Authority-cum-District Land Acquisition Officer, Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar Thakur, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha (SC19)
		Mr. Saurabh Kumar, AC to SC-19
For the NHAI	:	Mr. Amarjeet, J. C. to Sriram Krishna, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 15-09-2023

Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the National
Highways Authority of India.

2. Learned counsel for the petitioner is directed to
implead the National Highways Authority of India through its
official as party respondent in the present case, during course of
the day.

3. The petitioner has filed the present petition with a
prayer to enhance the compensation amount of the land which



has been acquired for construction of NH-227A. He further submits that the land of the petitioner is situated adjacent to SH-73 which has been switched over under NH-227A and for the purpose of expansion, his land has been acquired and the petitioner is primarily interested in enhancing the compensation amount.

4. Learned counsel for the National Highways Authority of India submits that notice under Section 3E of the National Highways Act, 1956 has been issued at the level of the District Land Acquisition Officer, Siwan, therefore, the only remedy available to the petitioner to file an application under Section 3G (5) of the National Highways Act, 1956.

5. Learned counsel for the State submits that there is no applicability of Section 73 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in the present case.

6. In this view of the matter, since there is already a statutory remedy available against the notice impugned, this writ petition stands disposed of granting liberty to the petitioner to raise his grievances before the appropriate forum as indicated in Section 3G(5) of the National Highways Act, 1956 within four weeks from today.



5. With the aforesaid observation and direction, the present writ petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	18/09/2023
Transmission Date	NA

