

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10932 of 2021

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Bipin Bihari Singh, Son of Shri Harischandra Singh, Resident of Village-Ami
(Chauhani Patti), P.S.-Dighwara, District-Saran (Chapra.)

... .. Petitioner/s

Versus

1. The National Highway Authority of India through its Chairman NHAI, New Delhi
2. The Project Director, National Highway Authority of India, Saran at Chapra.
3. The District Collector, Saran at Chapra. District.
4. The District land Acquisition Officer-Cum-Competent Officer, NH-19, Project Saran, District-Chapra.
5. The Circle Officer, Dighwara, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Ram Kishore Singh, Advocate
For the State	:	Md.Khurashid Alam, AAG-12
For NHAI	:	Mr.Shri Nath Pathak, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-11-2023

1. Heard learned counsels for the parties.

2. This writ application has been filed for issuance of a mandamus commanding the respondents to redetermine the quantification of compensation in lieu of acquisition of land having Khata No.339, Survey No. 421, Area- 3 Katha, recorded in the petitioner's name in the revenue records which has been acquired for the purposes of widening of National Highway No. 19.

3. At the outset, learned counsel for the NHAI raises preliminary objection to the effect that an alternative remedy is available to the petitioners by way of filing appropriate application under Section



3G(5) of The National Highways Act, 1956, which reads as:

4. *“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.”*

5. Learned counsel for the petitioners does not dispute the above proposition.

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

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

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

(Prabhat Kumar Singh, J)

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