

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7839 of 2023

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1. Ram Nath Singh Son of Late Devnandan Singh Resident of Village Maya Bigha P.S. Madanpur District Aurangabad.
 2. Ram Prasidh Singh Son of Late Devnandan Singh Resident of Village Maya Bigha P.S. Madanpur District Aurangabad.

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Ministry of Road Transport, New Delhi.
2. The State of Bihar through the Principal Secretary, Deptt. of Revenue and Land Reform, Govt. of Bihar, Patna.
3. The Project Director, National Highway II Rohtas at Sasaram, Bihar.
4. The District Magistrate Cum Collector, Aurangabad.
5. The Competent Authority Cum Deputy Collector Land Reform, Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vyas Kumar Mishra, Advocate
For the State	:	Mr. Navnit Kumar, AC to GP-18
For the NHAI	:	Dr. A. Kumar, Advocate
		Mr. Ramesh Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioners, State and the NHAI.

2. Present writ petition has been filed for directing the concerned respondent authorities to re-determine the compensation awarded to the petitioners as per prevalent rate existing at the time of notification.

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 petitioners 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. Petitioners 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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