

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11376 of 2021

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Ravindra Pandey, S/o Sri Ram Pandey Resident of Village - Teghara, P.O.-
Behiya Chourasta, Police Station- Behea, District - Bhojpur.

... .. Petitioner/s

Versus

1. The Union of India
2. National Highway Authority of India through its Chairman Sector No. 10,
Dwarika - New Delhi.
3. The Competent Authority-Cum-District Land Acquisition Officer Bhojpur at
Ara.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Pramod Kumar, Advocate
For the Union of India	:	Dr. K. N. Singh, ASG
For the State	:	Mr. Dhurjati Kr. Prasad, GP-14

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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 application has been filed for a direction to the Respondent No. 3 to make the reference of the application of the petitioner dated 27.08.2019 for determination of fair and just compensation of the petitioner's land which has been acquired for the project of widening of NH-84 in Land Acquisition Case No. 16 of 2011.

3. On the other hand, learned counsel for the State submits that after detailed enquiry and hearing the parties including the petitioner, the D.C.L.R., Jagdispur, passed reasoned orders dated 04.01.2018, 06.01.2018 and 24.03.2018 passed in L.A. Case No. 16 of 2010-11 and accordingly directed



for payment of compensation for the land of the petitioner which was received by the petitioner in his bank account vide three transactions dated 05.01.2018, 10.01.2018 and 07.04.2018 amounting to Rs. 2,79,552/-, rs. 30,02,584/- and Rs. 9,14,606/-, respectively, vide Annexure Nos. 6 & 7 to the writ petition. He further submits that the petitioner never raised any objection while receiving the amount of compensation. He transpires that the representation dated 24.12.2018 has been filed before the District Land Acquisition Officer, Ara. The aforesaid representation has been filed after lapse of more than eight months of receiving the compensation amount, which is barred by limitation. He further submits that the this writ application has been filed after lapse of more than three years of receiving the compensation and one and half years after the filing of representation dated 24.12.2018. He submits that the writ petition is devoid of any merit and is fit to be dismissed.

4. Considering the rival submissions of the parties, this writ application is disposed of with a direction to the petitioner to file appropriate application before the competent authority in terms of Section 3G(5) of the National Highways Act, 1956. If such representation is filed within a period of six weeks from today, the same shall be disposed of in accordance



with law after hearing the parties, preferably within a period of
six months thereafter.

(Prabhat Kumar Singh, J)

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