

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6539 of 2023

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1. Kumari Kiran Sinha, Wife of Ravindra Prasad, D/O Shyam Lal Resident of village- Chorsua Post- Chorsua, P.S.- Giriyak, District- Nalanda.
 2. Bundi Devi, wife of Anandi Prasad, Resident of village- Bakra Chorsua, Nanand P.S.- Silaw District- Nalanda
 3. Gita Devi, wife of Late Upendra Mistri, Resident of village- Chorsua Bathanpar Post- Chorsua, P.S.-Giriyak, District- Nalanda
 4. Saraswati Devi, wife of Late Shivnandan Prasad, Resident of village- Chorsua Post- Chorsua, Nalanda P.S.- Giriyak, District- Nalanda.
 5. Jagdish Gope, son of Balchand Gope, Resident of village-Bakra Chorsua Post- Chorsua, P.S. Giriyak, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Department Revenue and Land Reforms, Govt. of Bihar, Patna
2. The Additional Secretary Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The District Magistrate Nalanda.
4. The District Land Acquisition Officer Nalanda.
5. The Executive Engineer National High Way, Bihar Sharif, Nalanda.
6. The Sub- Divisional Officer Bihar Sharif, Nalanda
7. The Circle Officer Bihar Sharif, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rudal Singh, Advocate Mr. Raj Bansh Dubey, Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha (SC 19) Mr. Saurabh Kumar, AC to SC-19
For the NHAI	:	Mr. S. N. Pathak, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 20-07-2023

Heard learned counsel for the petitioners, learned counsel for the NHAI and learned counsel for the respondents.

2. The petitioners have filed the present petition for



grant of compensation amount of enhanced rate which has been made for construction of NH-31.

3. A counter affidavit has been filed on behalf of respondent Nos. 3 and 4 in which it has been accepted that the petitioners' land was acquired and for some part of the land, compensation has been received but for some part, compensation has not been received.

4. Learned counsel for the petitioners submits that the petitioners have grievances that though the compensation amount has been granted, but the same is at a lower rate. The petitioners want their payment of compensation at a very higher rate.

5. It has been admitted by both the parties that award has already been prepared and as such, after the preparation of the award, the only remedy left to the petitioners is to file his application under Section 3G(5) of the National Highways Act, 1956 before the Arbitrator-cum-Divisional Commissioner, Patna.

6. In this view of the matter, petitioners are directed to file his application under Section 3G(5) of the National Highways Act, 1956 within eight weeks from today along with a copy of this order before the Arbitrator-cum-Divisional



Commissioner, Patna who shall take appropriate decision in accordance with law in this matter.

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

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.07.2023
Transmission Date	NA

