

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2587 of 2015

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Ram Krishna Singh S/o Lal Bihari Singh @ Lal Bihari Rai, Resident of
Village - Hasanpura, P.O. P.S. - Beur, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate-cum-Collector, Patna.
3. The Circle Officer, Phulwarisharif, Patna.
4. The District Land Acquisition Officer-cum-Competent Authority, Patna Bihar.
5. The Additional Collector, Patna.
6. The Union of India through the Principal Secretary, Ministry of Road Trnasport and Highway, Governm
7. The National Highway Authority of India through its Chairman-cum-Secretary, G-5 and G-6, Sector - 1
8. The Project Director, National Highway Authority of India, D-36, Sri Krishnapuri, Patna.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 8678 of 2014

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Pramod Kumar Singh S/o- Late Prabhu Singh, Resident of Village-
Hasanpura, P.O.P.S.- Beur, District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Land Acquisition Officer-cum-competent Authority, Patna Bihar
3. The Union of India through the Principal Secretary, Ministry of Road Transport and Highway, Governm
4. The National Highway Authority of India through its Chairman-cum-Secretary, G-5 and G-6, Sector-10, Dwarikar or through Ministry of Road Transport and Highway Govt. of India, New Delhi
5. The Project Director, National Highway Authority of India, D-63, Sri Krishnapuri Patna

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 14286 of 2014

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1. Nitish Kumar and Anr Son of Late Binay Singh
 2. Kavita Devi Wife of Late Binay Singh Both resident of Village Hasanpura, P.O. P.S. Beur Old Phulwarisharif, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Land Acquisition Officer-cum-Competent Authority, Patna Bihar.
3. The Union of Indian through the Principal Secretary, Ministry of Road Transport and Highway, Govern
4. The National Highway Authority of India through its Chairman-cum-Secretary, G-5 and G-6, Sector - 1 Dwarikar or through Ministry of Road Transport and Highway Government of India, New Delhi.
5. The Project Director, National Highway Authority of India, D-63, Sri Krishnapuri, Patna.
6. The Circle Officer, Phulwarisharif, Patna.
7. The District Magistrate Collector, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14471 of 2014

Subindra Singh S/o Late Sukhdeo Singh Resident of Village Hasanpura, P.O. P.S. Beur, District Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate-cum-Collector, Patna.
3. The Circle Officer, Phulwarisharif, Patna.
4. The District Land Acquisition Officer-cum-Competent Authority, Patna Bihar.
5. The Union of India through the Principal Secretary, Ministry of Road Transport and Highway, Governm
6. The National Highway Authority of India through its Chairman-cum-Secretary, G-5 and G-6, Sector-10,
7. The Project Director, National Highway Authority of India, D-63, Sri Krishnapuri, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 18654 of 2014

1. Uday Kumar.
2. Ashok Rai Both Son of Late Depnarayan Rai Resident of Village - Hasanpura, P.O. P.S. - Beur, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate-cum-Collector, Patna.

3. The Circle Officer, Phulwarisharif, Patna.
4. The District Land Acquisition Officer-cum-Competent Authority, Patna Bihar.
5. The Additional Collector, Patna.
6. The Union of India through the Principal Secretary, Ministry of Road Transport and Highway, Governm
7. The National Highway Authority of India through its Chairman-cum-Secretary, G-5 and G-6, Sector-10,
8. The Project Director, National Highway Authority of India, D-63, Sri Krishnapuri, Patna.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 20106 of 2014

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1. Dinesh Kumar Rai @ Dinesh Rai and Anr Son of Sri Lal Bihari Rai
2. Sitaram Singh, Son of Late Janak Rai Both Resident of Village - Hasanpura, P.O. P.S. - Beur, District - Patna

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate-cum-Collector, Patna
3. The Circle Officer, Phulwarisharif, Patna
4. The District Land Acquisition Officer-cum-Competent Authority, Patna Bihar
5. The Additional Collector-cum-Arbitrator Acquisition Matter, Patna
6. The Union Of India through the Principal Secretary, Ministry of Road Transport and Highway, Governm
7. The National Highway Authority of India through its Chairman-cum-Secretary, G-5 and G-6, Sector-10,
8. The Project Director, National Highway Authority of India, D-63, Sri Krishnapuri, Patna

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 20367 of 2014

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Subhash Prasad Ray Son of Sri Lal Bihari Rai, Resident of Village-Hasanpura, P.O P.S- Beur, District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate-cum-Collector, Patna.
3. The Circle Officer, Phulwarisharif, Patna.

4. The District Land Acquisition Officer-cum-Competent Authority, Patna Bihar.
5. The Additional Collector-cum-Arbitrator Acquisition Matter, Patna.
6. The Union of Indian through the Principal Secretary, Ministry of Road Transport and Highway, Govern
7. The National Highway Authority of India through its Chairman-cum-Secretary, G-5 and G-6, Sector-10, Dwarikar of through Ministry of Road Transport and Highway Government of India, new Delhil.
8. The Project Director, National Highway Authority of India. D-63, Sri Krishnapuri, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 18723 of 2015

Anil Paswan S/o - Late Jugeshwar Paswan R/o Village - Hasanpura, P.O. P.S. - Beur, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Land Acquisition Officer-cum-Competent Authority, Patna Bihar.
3. The Addl. Collector, Patna, Vikash Bhawan, Collectariate, Patna.
4. The Circle Officer, Phulwarisharif, Patna.
5. The Union of India through the Principal Secretary, Ministry of Road Transport and Highway, Governm
6. The National Highway Authority of India through its Chairman-cum-Secretary, G-5 and G-6, Sector - 1
7. The Project Director, National Highway Authority of India, D-63, Sri Krishnapuri, Patna.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 2587 of 2015)

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Adv.
For the Respondent/s	:	Mr. Ram Balak Mahto, Adv.
For the N.H.A.I.	:	Mr. S. N. Pathak, Adv.
	:	Mr. Saurav Nikunj, Adv.

(In Civil Writ Jurisdiction Case No. 8678 of 2014)

For the Petitioner/s	:	Mr. Anirudh Mishra, Adv.
	:	Mr. Virendra Kumar, Adv.
For the Respondent/s	:	Mr. Ram Balak Mahto, Adv.
For the N.H.A.I.	:	Mr. S. N. Pathak, Adv.
	:	Mr. Saurav Nikunj, Adv.

(In Civil Writ Jurisdiction Case No. 14286 of 2014)

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Adv.
For the Respondent/s	:	Mr. Ram Balak Mahto, AG
For the N.H.A.I.	:	Mr. S. N. Pathak, Adv.
	:	Mr. Saurav Nikunj, Adv.

(In Civil Writ Jurisdiction Case No. 14471 of 2014)

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.
 For the Respondent/s : Mr. Ram Balak Mahto, Adv.
 For the N.H.A.I. : Mr. S. N. Pathak, Adv.
 : Mr. Saurav Nikunj, Adv.

(In Civil Writ Jurisdiction Case No. 18654 of 2014)

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.
 : Mr. Binay Kumar, Adv.
 For the Respondent/s : Mr. Ram Balak Mahto, Adv.
 For the N.H.A.I. : Mr. S. N. Pathak, Adv.
 : Mr. Saurav Nikunj, Adv.

(In Civil Writ Jurisdiction Case No. 20106 of 2014)

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.
 For the Respondent/s : Mr. Ram Balak Mahto, Adv.
 For the N.H.A.I. : Mr. S. N. Pathak, Adv.
 : Mr. Saurav Nikunj, Adv.

(In Civil Writ Jurisdiction Case No. 20367 of 2014)

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.
 For the Respondent/s : Mr. Ram Balak Mahto, Adv.
 For the N.H.A.I. : Mr. S. N. Pathak, Adv.
 : Mr. Saurav Nikunj, Adv.

(In Civil Writ Jurisdiction Case No. 18723 of 2015)

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.
 For the Respondent/s : Mr. R.K.Priyadarshi, SC-32
 For the N.H.A.I. : Mr. S. N. Pathak, Adv.
 : Mr. Saurav Nikunj, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 27-06-2023

Learned counsel for the petitioner and learned counsel for the State are present.

2. In all the above mentioned eight cases, the grievances of the petitioners are same. They all are residents of village - Hasanpura, P.O+P.S.- Beur, Patna. The land of the petitioners were acquired for the purpose of construction of N.H.-30 (Patna to Buxar).

3. Learned counsel for the petitioner submits that the petitioner has filed the present writ petition with for enhancing the compensation amount as compensation amount

fixed for his village is much lesser than the amount fixed for the villages which are situated at the surroundings of the petitioner's village. Counsel further submits that the award has been prepared and petitioners have received the award amount with objections. They sought reliefs to pass order against the Respondent Authorities to pay the compensation amount in the light of the market value/the price of the land of the surrounding villages of the village of the petitioners, i.e. with enhanced amount.

4. Counsel for the National Highways Authority of India submits that award has been prepared and payment has been made. He further submits that the land has been acquired and has been handed over to the National Highways Authority of India for construction of road. He further submits that in the present situation, the only remedy left to the petitioners that they may prefer their grievance before the Arbitrator as fixed under Section 3G (5) of the National Highways Act, 1956. He further submits that in some cases, it appears from the documents itself that some petitioners have preferred to approach Arbitrator.

5. In this background, this writ petition is hereby disposed off with a direction to the petitioners that they shall make fresh representations before the Arbitrator/ Commissioner,

Patna Division, Patna raising all their grievances as raised in the writ petition whereupon the Arbitrator is directed to decide their matter within nine months from the date of receiving of the representations of the petitioners.

6. It is made clear that the limitation shall not come in the way of the authority to adjudicate the matter on merit since the petitioners were pursuing the remedies before this Court.

7. Representations shall be filed in the form of statement of claim, under Section 3G (5) of the National Highways Act, 1956 before Arbitrator-cum-Commissioner, Patna Division, Patna, for the reliefs within four weeks.

8. With the aforesaid direction, this writ petition is hereby disposed off.

(Dr. Anshuman, J.)

Ashishsingh/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	