

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7511 of 2023

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Urmila Devi Wife of Sri Arun Kumar Singh Resident of Village- Parihara,
Post- Parihara, Police Station - Bakhari, District- Begusarai.

... .. Petitioner/s

Versus

1. The National Highways Authority of India Through its Chairman, New Delhi.
2. The State of Bihar, Through the Collector, Patna, (District Land Acquisition Officer, N.H. 30A) Land Acquisition Branch, Collectorate Building at Patna.
3. The Anchaladhikari Barh, Anchal Office Barh, Post Office- Barh, Police Station- Barh, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Raj Nandan Prasad Singh
For the Respondent/s	:	Mr.Rishi Raj Sinha (Sc19)
		B. P Singh, AC to SC 19
For NHAI	:	Dr. Anand Kumar , Advocate
		Ramesh Gupta, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-12-2023 Heard learned counsel for the petitioner, State and
the NHAI.

2. The Petitioner by way of present writ petition seeks compensation, treating the land of the petitioner as residential, which has been acquired for widening of Fatuha Harnaut Barh Road under NH – 30A .

3. At the outset, learned counsel for the NHAI appears and raises raises preliminary objection to the effect that an



alternative remedy is available to the petitioner by way of filing appropriate application 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 petitioner 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. Petitioner shall be at liberty to seek remedy before the appropriate forum as may be available to them in accordance with law.

7. It goes without saying that if any question of limitation arises before the competent authority, the same shall be considered, taking into consideration the fact that the petitioner was pursuing the issue before this Court.

8 . Writ petition stands disposed of with the aforesaid



observations.

(Prabhat Kumar Singh, J)

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