

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5816 of 2016

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Pooja Devi, Wife of Ramesh Singh Maurya, Resident of village - Barhuli,
Post office - Bhithi, Police Station Mohania, District - Kaimur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, District- Kaimur
3. The District Land Acquisition officer, Kaimur

... .. Respondent/s

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Appearance :

For the Petitioner : Mr. Shyam Bihari Singh, Advocate
For the State : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-12-2023

1. Heard learned counsels for the parties.

2. By way of this writ application the petitioner has challenged the quantum of compensation assessed by the respondent-Authorities treating her land bearing Plot No. 422, Khata No. 17 situated at Village- Barhuli, P.S.- Mohania, District- Kaimur, as agricultural instead of commercial.

3. Learned counsel for the State 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 her in accordance with law.

7. Writ petition stands disposed of with the aforesaid observations.

(Prabhat Kumar Singh, J)

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