

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7598 of 2023

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Raghuvir Ray Son of Late Sakaldip Ray Resident of Village- Shri Nagar
(Trilok Chak), P.S.- Dighwara, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Land and Revenue, Govt. of Bihar, Patna.
3. The District Collector-Cum-Magistrate, Saran.
4. District Land Acquisition Officer, Saran.
5. The Addl. District Magistrate, Saran, Chapra.
6. The Circle Officer, Dighwara, Saran.
7. The Project Manager, National Highway, Saran, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Dhananjay Mishra
For the Respondent/s	:	Md. Khurshid Alam (AAG12)
		Mr. Nutan Sahay AC to AAG 12
For the NHAI	:	Mr. Rajesh Shandilya, Advocate
		Mr. Vinayak Harshwardhan, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-10-2023

1. Heard the learned counsel for the parties.

2. This application has been filed for issuance of direction to the respondent authorities to make sufficient and satisfactory payment of compensation for the house-cum-shops with compound interest which has been acquired by the respondent authorities for construction of National Highway.

3. At the very outset Counsel for N.H.A.I submits that petitioner had statutory alternative remedy of making application under Section 3-G sub clause (5) of the National Highways Act; 1956.



4. Learned counsel for the petitioner does not dispute above proposition.

5. There is no justification coming forth, as to why this writ petition be maintained, despite petitioner having statutory alternative remedy under the Act.

6. I do not find it proper, in the facts and circumstance of the case to exercise such power.

7. This writ petition is accordingly disposed of with an observation that the petitioner shall be at liberty to approach the competent authority as may be available to him, in accordance with law.

8. This writ petition stands disposed of with aforesaid observation.

(Prabhat Kumar Singh, J)

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