

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14823 of 2015

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Smt. Santoshi Gupta wife of Sri Sanjay Kumar Gupta resident of Mohalla-
Dhantolia, Ward No.- 26, Dehri-on-sone, Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The District Magistrate, Aurangabad.
3. The Additional Collector cum Arbitrator, Aurangabad.
4. The Deputy Collector Land Reforms cum Competent Authority,
Aurangabad.
5. The Chief General Manager, National High Way II, Aurangabad.
6. The Project Director, P.I.U., N.H.A.I., Varanasi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar Verma, Adv.
For the Respondent/s	:	Mr. Raghwanad, GA-11
	:	Mr. Pratik Kumar, AC to GA-11
For the NHAI	:	Mr. S.N. Pathak, Adv.
	:	Mr. Saurav Nikunj, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-08-2023 Heard learned counsel for the petitioner, learned
counsel for the N.H.A.I. and learned counsel for the State.

2. Counsel for the petitioner submits that the award
has not been given in the name of the petitioner, rather, the
award has been given in the name of the person from whom he
purchased the land.

3. Counsel for the petitioner submits that it is due to
this reason that he filed an application before the Land
Acquisition Officer, Aurangabad raising his objection but till
date no decision has been taken.

4. Counsel for the respondent State submits that the petitioner has never filed any representation before the Competent Authority-cum- Land Reforms Deputy Collector, Aurangabad.

5. Counsel for the National Highways Authority of India submits that in this circumstance that award has not been prepared in the name of the petitioner instead the award has been prepared in the name of the vendor of the petitioner, liberty is available to the petitioner to file an application before the Competent Authority-cum-Land Reforms Deputy Collector, Aurangabad and the Competent Authority-cum-Land Reforms Deputy Collector, Aurangabad shall decide the claim of the petitioner under Section 3 H of the National Highway Act, 1956 [Act No. 48 of 1956].

7. In this background, the petitioner is directed to file his application before the Competent Authority-cum-Land Reforms Deputy Collector, Aurangabad with all his relevant documents and upon receiving the same the Competent Authority-cum- Land Reforms Deputy Collector, Aurangabad is directed to entertain her application and pass an order under Section 3 H of the National Highway Act, 1956 [Act No. 48 of 1956] upon hearing the parties, as well as, the persons in whose

name the award has been issued. The petitioner is directed to file a representation within 4 weeks and the Competent Authority-cum- Land Reforms Deputy Collector, Aurangabad is directed to pass an order within 90 days upon appearance of the persons in whose names the award has been made.

(Dr. Anshuman, J.)

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