

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 17914 of 2015

1. Sakaldev Rai son of late Sitab Rai resident of Mohalla - Sipara, Police Station - Beur, District - Patna.
2. Phula Devi wife of Sakaldev Rai resident of Mohalla - Sipara, Police Station - Beur, District - Patna.

... .. Petitioner/s

Versus

1. The Union Of India
2. The Project Director, National Highway Authority of India, 63, Shrikrishnapuri, Patna.
3. The Secretary, Road Construction Department, Government of Bihar, Vishweshraiya Bhawan, Patna.
4. The Collector, Patna.
5. The District Land Acquisition Officer, Patna.
6. The State of Bihar through the Secretary, R.C.D., Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Gopal Govind Mishra, Adv.
For the State	:	Mr. Ajay Behari Sinha, GA-8
		Mr. Upendra Kr. Singh, (AC to GA-8)
For the N.H.A.I.	:	Mr. Kumar Goutam, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioners, learned counsel for the N.H.A.I. and learned counsel for the State.

2. Learned counsel for the petitioners submits that petitioners are the purchaser of the land which is subject to acquisition. Counsel submits that from Annexure- 1, the date of acquisition is 27.12.2013, whereas petitioners have purchased the land in the year 1985-86 but the award has not been made in their name.

3. Learned counsel for the petitioners further submits that it is due to this reason, petitioners have moved before this Hon'ble Court as their land was acquired for the purpose of construction of National Highway.

4. Learned counsel for the N.H.A.I. submits that the acquisition of National Highway has been guided by the National Highways Act, 1956, [48 of 1956] (hereinafter referred to as 'the Act of 1956'). Counsel submits that under Section 3H of the Act of 1956, the remedies available to the petitioners to file representation before the competent authority-cum-D.L.A.O. raising all their grievances, so that award may be prepared in their name.

5. In this background, the present writ application is disposed of directing the petitioners to file an application under Section 3H of the Act of 1956 before the competent authority-cum-D.L.A.O., Patna within four weeks from today and the competent authority is directed to pass order within three months after appearance of all the concerned parties.

(Dr. Anshuman, J.)

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