

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9799 of 2023

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Satyadeo Narayan Singh S/o- Late Sukdeo Singh Resident of Village-
Sillonja, P.S.- Belaganj, District- Gaya, Presently Residing at 172, Amarpali
Apartment, 56 I.P. Extn. Patparganj, Delhi- 110092.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Revenue and Land Reform Department.
2. The District Magistrate, Gaya.
3. District Land Acquisition Officer, Gaya.
4. Anchal Adhikari, Belaganj, Gaya.
5. Project Director National Highways Authorities of India, Project Implementation Unit (PIU), Gaya Bihar House no. 70/244 West Jagjivan Road Opposite Judicial Quarter Chankayapuri Colony, Gaya NH- 83.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Kumar Sameer, Advocate Ms.Prakritita Sharma, Advocate
For the Respondent/s	:	Mr.Md. Khurshid Alam (AAG 12) Ms.Nutan Sahay, AC to AAG-12 Mr. S.N.Pathak, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-12-2023 Heard learned counsel for the parties.

2. This writ application has been filed for directing the respondents to make payment of compensation to the petitioner for the entire land in question of petitioner, acquired for widening National Highway No. 83

3. At the very outset, learned counsel for the respondents raise preliminary objection to the effect that petitioner has got alternative remedy with regard to insufficiency of compensation amount, by way of filing



appropriate application under Section 3G(5) of the National Highways Act, 1956, which reads as follows:

“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 and requests for disposal of the writ application granting liberty to the petitioner to file application before the Arbitrator, in view of Section 3G(5) of the National Highways Act, 1956

5. In the above view of the matter, this writ application is disposed of with liberty, as indicated above. If such application is filed by the petitioner, the authority concerned shall examine the same, after hearing the parties, and pass appropriate order in accordance with law.

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



226 of the Constitution of India.

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

(Prabhat Kumar Singh, J)

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