

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8986 of 2023

Minakshi Maheshwari Wife of Sri Surendra Poddar, Resident of Village/Mohalla- Bhuramal Colony, Ishakchak, P.S- Ishakchak, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna-1.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna-1.
3. The Add. Chief Secretary, Road Construction Department, Government of Bihar, Patna.
4. The Executive Engineer, National Highways Authority of India, Work Division, Krishna Nagar, Buddha Colony, Patna-1.
5. The Director, Land Acquisition Directorate, Revenue and Land Reforms Department, Patna.
6. The District Magistrate, Bhagalpur.
7. The District Land Acquisition Officer, Bhagalpur.
8. The Circle Officer, Goradih Anchal, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vivekanand Vivek, Advocate
For the Respondent/s	:	Mr. Md. Khurshid Alam (Aag12)
For NHA	:	Rakesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioner, State and the NHA.

2. Present writ petition has been filed for directing the respondent authorities to pay the compensation of Rs. 68,00,000/- along with interest @ 12% per annum from the date of acquisition of the land of the petitioner till the date of payment in respect to the land situated at Mouza – Bishanpur



Jitchcho , P . s – Lodipur, Anchal – Goradih , Thana No. 103 ,
District- Bhagalpur bearing Khata No. 116, Part of Khesra No.
1024 Area – 0.066233 Acres equivalent to 6.6232 Decimals.

3. Learned counsel for the NHAI 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 them in accordance with law.



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

(Prabhat Kumar Singh, J)

Koushik/-

U			
---	--	--	--

