

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12194 of 2022

Shahin Bano @ Shahina Bano, W/o Late Md Islam, Resident of Mohalla -
Nawadih, Aurangabad, P.S. - Aurangabad, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector-Cum District Magistrate, Aurangabad.
2. The Competent Authority-Cum-Deputy Collector, Land Reforms Aurangabad, Bihar.
3. The National Highways Authority of India through its Project Director, P.T. - II, Varanasi, Uttar Pradesh.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vasant Vikas, Advocate
For the State	:	Mr. Sajid Salim Khan (SC 25)
		Mr. W. A. Khan, AC to SC-25
For the NHAI	:	Mr. Sanat Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 12-09-2023

Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that the
present writ petition has been filed to pay the adequate
compensation to the petitioner for her commercial land. He
further prays that copy of award has not been provided to her.

3. Learned counsel for the State as well as the National
Highways Authority of India submit that the petitioner herself
annexed Annexure-3 to the writ petition by which it is clear that
a notice to the petitioner under Section 3G of the National



Highways Act, 1956 has been issued in Case No. 22 (xvi)/2014-15 and compensation amount has been calculated to the tune of Rs. 21,88,339/-.

4. Learned counsel for the petitioner submits that though the petitioner has received the said amount, but the amount of the award should be increased, as proper amount has not been paid for her land.

5. In response thereof, counsel for the National Highways Authority of India submits that since the award has been prepared and amount has been received by the petitioner then in that case, the petitioner has only remedy for enhancement of compensation amount before the Arbitrator under Section 3G(5) of the National Highways Act, 1956.

6. Learned counsel for the petitioner has fairly submits that until and unless the award shall not be provided to the petitioner, the petitioner shall not be in a position to calculate the amount accurately for which she is legally entitled for.

7. In this background, the District Land Acquisition Officer, Patna is directed to provide a copy of the award to the petitioner within four weeks from the date of production of a copy of this order by the petitioner before him and upon receiving the award, the petitioner shall be at liberty to raise her



grievances under Section 3G(5) of the National Highways Act, 1956 before the Arbitrator within six weeks thereafter.

8. With the aforesaid observation and direction, the writ petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	14/09/2023
Transmission Date	NA

