

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17722 of 2022

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Smt. Rinku Kumari, W/o Shashi Kant Sharad, Resident of Mohalla New
Amala Tola, Khaganchi Hat, P.O. Madhubani, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through Commissioner-cum-Arbitrator, Purnea Division.
2. The Collector, Purnea.
3. The District Land Acquisition Officer, Purnea.
4. The Additional Collector, Purnea.
5. The District Sub Registrar, Purnea.
6. The Project Director, National Highway Authority, PJU, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vishwanath Prasad, Advocate
		Mr. Harshwardhan Sahay, Advocate
For the Respondent/s	:	Mr.Raj Kishore Roy (GP18)
For respondent No.6	:	Mr. S. N. Pathak, Advocate
		Mr. Rakesh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 29-08-2023

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

2. The present writ petition has been filed challenging
the order dated 24.08.2022 passed by the Arbitrator-cum-
Divisional Commissioner, Purnea in Arbitration Case No.160 of
2020 under Section 3 G(5) of the National Highway Act, 1956
(Act no. 48 of 1956).

3. Learned counsel for the NHAI submits that the
present writ petition is not maintainable because under Section 3



G(5) and (6) of the National Highway Act, 1956 (Act no. 48 of 1956), a statutory remedy is available to the petitioner under the Arbitration And Conciliation Act, 1996 (Act no.26 of 1996).

4. In this view of the matter, this writ petition is hereby disposed off with a direction to the petitioner to avail his remedy under the Arbitration and Conciliation Act, 1996 (Act no.26 of 1996).

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	30.08.2023
Transmission Date	NA

