

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.601 of 2023

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1. Ashok Kumar Singh Son/Daughter of Late Janki Prasad Sinha and Lae Sharda Devi @ Shradha Devi Resident of Vatsa Villa, Kasturba Path North Sri Krishnapuri P.S.- S. Krishna Puri, Patna 800013
 2. Usha Singh Son/Daughter of Late Janki Prasad Sinha and Late Sharda Devi @ Shradha Devi Resident of Vatsa Villa, Kasturba Path North Sri Krishnapuri P.S.- S. Krishna Puri, Patna 800013
 3. Sangeeta Singh Son/Daughter of Late Janki Prasad Sinha and Late Sharda Devi @Shradha Devi Resident of Vatsa Villa, Kasturba Path North Sri Krishnapuri P.S.- S. Krishna Puri, Patna 800013

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Road Construction Department, Govt. of Bihar, Patna.
2. The District Magistrate, Muzaffarpur
3. The District Land Acquisition Officer, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Ambastha, Adv.
For the Respondent/s : Mr. Sushil Kumar (GP 22)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 25-09-2023 Learned counsel for the petitioners is directed to add

NHAI as party respondent no.4 in this case in course of the day.

2. Heard learned counsel for the petitioners and

learned counsel for the State.

3. Counsel for the petitioners submits that their land

have been acquired for the purpose of construction of the

National Highways (East -West Corridor). Counsel submits that

the land was recorded in the name of their mother, namely,

Sharada Devi whose name has been shown in the notification.

4. Counsel himself admits that before the Land Acquisition Officer, Muzaffarpur, some fake persons tried to take the compensation amount, thereafter, the petitioners have filed objection. Counsel further submits that the land has been acquired and possession has also been taken after the Gazette Notification published in local newspapers in the year 2007 itself.

5. In this view of the matter, that the land was acquired under National Highways Act, 1956, liberty is available to the petitioners to move before Arbitrator for payment of compensation under Section 3G(5) of the National Highways Act, 1956.

6. As such, the present writ application is hereby disposed of directing the petitioners to file an application for payment of compensation amount under 3G(5) of the National Highways Act, 1956 and the Arbitrator is directed to pass order on the application filed by the petitioners and decide the claim of the petitioners upon hearing all concerned within 9 months from the date of filing the application.

(Dr. Anshuman, J.)

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