

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1600 of 2020

Prabhu Narayan Thakur, Son of Late Permanand Thakur, Resident of Village-
Madhubani, P.O. Patahi, P.S. Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The Union of India Through The Secretary, Department of Road Transport And High Way.
2. The Secretary, Department of Road Construction and Transport And High Ways, Govt. of India, New Delhi.
3. The National Highways Authority of India, Through Its Project Director.
4. The State of Bihar, Through the Principal Secretary, Revenue Land Reform Department.
5. The Secretary, Land Acquisition Department, Govt. of Bihar, New Secretariat, Patna.
6. The District Magistrate Cum Collector, Muzaffarpur.
7. The District Land Acquisition Officer-cum competent authority, Muzaffarpur.
8. The Project Director, N.H.A.I. Project Execution Unit, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Uday Prakash Shharma, Adv.
For the Respondent/s	:	Mr. Raj Kishore Roy, (GP 18)
For the N.H.A.I.	:	Mr. S. N. Pathak, Adv.
	:	Mr. Saurav Nikunj, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

11 20-06-2023 Heard learned counsel for the petitioner, learned
counsel for the National Highways Authority of India and
learned counsel for the State.

2. Counsel for the petitioner has filed the present Writ
petition for grant of compensation which is four times the rate
of the land, as no compensation has been granted to the
petitioner with regard to the land bearing *khata* no. 161, *khesra*

688, *thana* no. 357, area 22 decimal (0.089 hectare) acquired vide notification dated 29.03.2012, by the respondent for the construction of National Highway No. 77.

3. Counsel for the petitioner submits that award has not been prepared in the name of the petitioner, though the payment of compensation in part has been made, which he has received. Counsel submits that the other similarly situated persons have been granted compensation, according to the new law of Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013. He also submits that in his case no compensation has been made.

4. Counsel for State submits that award has been prepared and payable amount has been served being *panchat* no. 25 in the name of three persons Mosmat Anandi Devi, Virender Mohan Thakur and petitioner Prabhu Narayan Thakur, which is apparent from Annexure-A to the counter-affidavit.

5. Counsel for National Highways Authority of India submits that once award has been prepared then according to Section 3 G(5) of the N.H. Act, 1956 the remedy is available to the petitioner before the arbitrator that for all his grievances, he ought to move before the arbitrator under the Act. Here in the present case, the said person is the Commissioner, Muzaffarpur.

6. In this background, this petitioner is directed to file his statement of claim before the Commissioner, Muzaffarpur-cum-Aarbitrator under N.H. Act, 1956 raising all his grievances raised in the Writ petition, within four weeks from today.

7. With the aforesaid direction, this writ petition is hereby disposed off.

(Dr. Anshuman, J.)

Ashishsingh/-

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