

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13840 of 2017

Indra Deo Prasad Son of Late Baiju Mahto, Resident of Village- Dayali Bigha, P.O.- Keoti, P.S.- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

1. National Highways Authority Of India, New Delhi and Ors
2. Director, National Highways Authority of India, New Delhi.
3. Project Director, National Highways Authority of India, Munger.
4. Competent Authority-cum-District Land Acquisition Officer, Sheikhpura, Bihar.
5. The State of Bihar through the District Magistrate, Sheikhpura, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Malendu, Advocate
For the NHAI	:	Mr. Kumar Goutam, Advocate
For the Respondent/s	:	Mr. Dhurjati Kumar Prasad, GP-14

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL JUDGMENT

Date : 05-08-2024

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

2. The present writ application has been filed for the following reliefs:-

*“I. Directing the Respondents-
authorities to pay the amount of compensation to
the petitioner as per the Valuation of land/house as
contained in report dated 21.07.2016 (Annexure-3)
on account of being acquired for construction of
National Highways No. 82 (Biharshariff-Barbhiga-*



Mokamaha Section) as published in Extra Ordinary Gazette of India on 30.10.2015 and published in Prabhat Khabar, Patna Edition a Hindi daily on 13.05.2016 (Annexure-1) of Mouza-Keoti in the District Sheikhpura.

II. Directing the Respondents to apply provisions of rehabilitation and resettlement as envisaged u/s 31 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (in short the Act, 2013)

III. Any other relief and reliefs for which the petitioner may be found entitled to.”

3. At the outset, learned counsel for the State submits that the petitioner is having alternative remedy by way of filing appropriate application under Section 3G(5) of the National Highways Act, 1956 before competent authority, i.e. Arbitrator appointed by the Central Government.

4. Considering the aforesaid fact that the alternative remedy is already available to the petitioner as per Section 3G(5) of the National Highways Act, 1956, the petitioner is directed to file appropriate application within four weeks from



today along with relevant documents including the application for condonation of delay, if any, before the competent authority, i.e. Arbitrator which is appointed by the Central Government. If any such application is filed, the concerned authority shall condone the delay, if any, as the petitioner was pursuing the remedy before this Court, and shall consider and dispose of the same in accordance with law.

5. With the aforesaid observation/direction, the present writ application stands disposed of.

(Rudra Prakash Mishra, J)

Alok Verma/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	09.08.2024
Transmission Date	N/A

