

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12199 of 2017

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Ram Nath Singh S/o late Mahendra Singh Resident of Village- Kurkuri, P.S.
Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors.
2. The District Magistrate/Collector, Patna.
3. The District Land Acquisition Officer, Patna.
4. The Additional Collector Cum-Arbitrator, Patna.
5. The Registrar, District Registration Officer, Patna.
6. National Highway Authority of India through its Managing Director, New Delhi.
7. Regional Director, National Highway Authority of India, Bihar, Patna.
8. Union of India, through its Secretary, Ministry of Road Transport and Raj Marge, New Delhi.
9. Deputy Secretary, Ministry of Road, Transport and Raj Marge, New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha-SC-19
		Mr. Manoj Kumar Sinha, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-04-2024 Heard Mr. Deepak Kumar Sinha, learned counsel

for the petitioner and Mr. Shrinath Pathak representing N.H.A.I.

as also the State.

2. That petitioner invokes the writ jurisdiction of
this Hon'ble court for pass appropriate writ/writs,
direction/directions, order/orders for the following reliefs:-

*I. To command and direct the respondents
for payment of compensation amount related*



to land of petitioner acquired by the Respondent No.8 and 9 for the purpose of construction of National High way i.e. NH 30 and 84 as well as solicium amount which was awarded by District Land Acquisitioned officer less amount i.e. 30% instead of 60% against the land acquisition act 2007 because he is voluntarily ready to give that land to the Govt for the purpose given above and compensation amount on the basis of Agricultural land instead of commercial / Residential land /on the basis of present market value.

II. *To further command and direct the respondent to increase the award of Petitioner on the basis of commercial/ Residential land and solacium amount i.c. 60% amount instead of order passed by Land Acquisition Officer Patna in L.A.No.60/2012-13 relates to land of Petitioner on 19.06.2013 for the purpose mentioned above i.e. Mouza Phulwari Thana*



No.35, Khata No.452 Khesra No. 3543, Area- 1.881192, Acre though less calculated amount of compensation was paid to the petitioner in the year 2015.

III. To further direct the respondents that less compensation amount which was paid to the petitioner in the year May 2015, be as per the nature of land i.e. residential/commercial and on the basis of "right to fair compensation and Transparency in land Acquisition Rehabilitation and Re-settlement Act 2013 and compensation amount may fixed on the basis of present market value as a residential/commercial as rate fixed by the district registration office Patna.

IV. For which petitioner is entitled for.

3. After some argument, learned counsel for the petitioner submits that he will approach the Arbitrator as he is not happy with the amount decided by the competent authority under Section 3G-5 of the National Highways Act, 1956 within four weeks from today.



4. Granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

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