

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6734 of 2018

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1. Vinod Kumar Singh.
 2. Sudhir Kumar Singh, Both are sons of Late Ram Bachchan Singh, resident of Village- Barunganj, P.S.- Barun and District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Land Revenue and Reforms, Patna (Bihar).
2. The District Magistrate, Aurangabad.
3. The Additional Collector, Aurangabad.
4. The Competent Authority cum the District Land Acquisition Officer, Aurangabad.
5. The General Manager, East Central Zone, Department of Railway, Hajipur, Bihar.
6. The Deputy Regional Manager, Mughal Sarai Division under East Central Zone, Department of Railway, Hajipur, Bihar.
7. The Manager Dedicated Freight Corridor, Mughal Sarai Division under East Central Zone, Department of Railway, Hajipur, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma, Adv.
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-08-2024 Heard Mr. Anirudh Kumar Verma, learned counsel for the petitioner and Mr. Dhurjati Kumar Prasad, learned counsel for the State.

2. The petitioner by invoking the extraordinary writ jurisdiction of this Court under Article 226 of the Constitution of India, seeks a direction upon respondent no.4 to ensure payment of compensation for the land in question acquired for construction of dedicated freight corridor under railway project



by quashing the award notice dated 20.12.2017 under Section 20-F of the Railways (Amendment) Act, 2008.

3. Learned counsel for the petitioner contended that the award in question is based on erroneous and contradictory finding, apart from violating the mandatory requirement. Initially, the land in question has been categorized as residential but later on compensation has been paid treating the land to be agriculture. The objection of the petitioner filed under Section 20-F(4) of Railways Act, 1989 (for short “the Act 1989”) has also not been considered.

4. After adverting to the aforesaid facts, learned counsels for the respective parties are in agreement that there is a statutory remedy as provided under Section 20-F(6) of the Act, 1989, which reads as follows:

“If the amount determined by the competent authority under sub-section(1) or as the case may be, sub-section(3) is not acceptable to either of the parties, the amount shall, on an application by either of the parties, be determined by the arbitrator to be appointed by the Central Government in such manner as may be prescribed.”

5. In view of the submissions advanced on behalf of the parties and considering the expeditious statutory remedy as



provided under Section 20-F(6) of the Act, 1989, this Court deems it appropriate to dispose of the writ petition with a liberty to the petitioner to avail the statutory remedy as provided under the Act, 1989.

6. It is expected that if the petitioner approach before the learned Arbitrator, the claim of the petitioner shall be considered and disposed of expeditiously, in accordance with law.

(Harish Kumar, J)

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