

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8247 of 2018

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Rohan Raj S/o Rajendra Prasad, Resident of Village- Behat Uttari,
Jhanjharpur, Ward No.5, Police Station- Jhanjharpur R.S., District-
Madhubani.

... .. Petitioner/s

Versus

1. The Union Of India through the Chairman, National Highways Authority of India.
2. The Project Manager, 57 National Highways, Muzaffarpur Division, Muzaffarpur.
3. The State of Bihar through the Principal Secretary, Revenue Department, Government of Bihar, Patna.
4. The District Magistrate Madhubani.
5. The District Land Acquisition Officer, Madhubani.
6. The Additional Collector, Madhubani.
7. The Sub-Divisional Officer, Phulparas, District- Madhubani.
8. The Deputy Collector Land Reforms, Phulparas, District- Madhubani.
9. The Anchal Adhikari, Phulparas, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjeeit Kumar Pandey Mr. Ashok Kumar Prasad
For the State	:	Mr. R.K. Roy- GP18
For the NHAI	:	Mr. S. N. Pathak

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 05-09-2024

Heard the parties.

2. The petitioner by invoking the jurisdiction of this
Court under Article 226 of the Constitution of India prays for
the following reliefs:

*“(A) A Mandamus Commanding the respondents
for payment of compensation amount on
commercial rate alongwith interest for the lands*



situate in Village- Sijauliya in the District of Madhubani over Plot No.3343, 3342, 3344, 3341, total area 0.31 decimals..... which is acquired for Widening / Construction of Road of N.H.57.

(B) Any other relief or reliefs for which petitioner may be found entitled to in the fact and circumstances of the present case may be granted to him.”

3. At the outset, learned Advocate for the State as well as the NHAI submit at the Bar that the petitioner has efficacious remedy available under Section 3-G(5) of the National Highways Act, 1956.

4. At this juncture, learned Advocate for the petitioner submits that on a wrong instruction the petitioner has approached before the Arbitrator-cum-Additional Collector, Madhubani and thereafter he preferred the appeal before the Collector which also stood dismissed for non-prosecution.

5. Be that as it may, considering the fact that the petitioner has remedy available before the Divisional Commissioner provided under Section 3-G(5) of the National Highways Act, 1956, the writ petition stands disposed of with the liberty aforesaid.

6. Suffice it to say, if the petitioner approaches before



the Divisional Commissioner, the same shall be considered and disposed of expeditiously taking note of the fact that the matter has been pending before this Court since long.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	07 .09.2024
Transmission Date	

