

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13347 of 2018

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Rita Singh Wife of Late Shankar Kumar Singh @ Gopal Singh, Resident of
Village- Sinduria Bal Rampur, P.S.- Barun and District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Aurangabad.
3. The Additional Collector cum Arbitrator, Aurangabad.
4. The Deputy Collector Land Reforms cum Competent Authority,
Aurangabad.
5. The Chief General Manager National High Way II, Aurangabad.
6. The Project Director, P.I.U., N.H.A.I., Varanasi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Verma
For the Respondent/s : Mr.Md.Khurshid Alam -Aag12

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

Date : 12-11-2024

In the instant petition, petitioner has prayed for the
following relief(s):-

*“For quashing the award dated 12.03.2016
passed under “Right to Fair Compensation
and Transparency in Land Acquisition,
Rehabilitation and Resettlement Act, 2013,
which is amended award dated 07.07.2016
under section 3G of the National Highway*



Act, 1956 under Gazette notification dated 08.12.2010 without following mandatory requirements under section 24(2) of the RFCTLARR Act, 2013.”

2. Learned counsel for the petitioner submits that the limited grievance of the petitioner is with regard to grant of compensation for the land of the petitioner appertaining to Khata No. 74, Plot No. 203, Area- 528 Sq. mtr., situated in village Sinduriya, Circle-Barun, District-Aurangabad, which has been acquired for construction of 6 lanes for National Highway-2. Learned counsel for the petitioner submits that though petitioner has represented before the D.C.L.R., Aurangabad for redressal of his grievance, but under section 3G(5) of the National Highways Act, 1956 the appropriate authority is the Arbitrator-cum-Commissioner, and as such, he may be permitted to approach the concerned authority under section 3G(5) of the National Highways Act, 1956.

3. Learned counsel appearing for the N.H.A.I. and the State have no objection over the aforesaid submission.

4. Considering the facts and circumstances of the case and the arguments advanced on behalf of both the parties, the present writ petition is disposed of with liberty to the petitioner to raise his grievance before the Arbitrator-cum-Commissioner



under section 3G(5) of the National Highways Act, 1956 within a period of six weeks from the date of receipt of this order. If such representation/application is filed, the concerned authority is directed to consider and dispose of the grievance of the petitioner expeditiously within a reasonable period of time, after giving due opportunity of hearing to the petitioner.

(Alok Kumar Pandey, J)

mcverma/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	18.11.2024
Transmission Date	N/A

