

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13362 of 2018

1. Shashi Kant Rai and Anr
2. Bhagwandjee Rai, Both are S/o Late Teja Ray @ Tejanarayan Rai, resident of Village Post Office- Chilahari, P.S.- Dumraon, Distt.- Buxar.

... .. Petitioner/s

Versus

1. The Union Of India and Ors
2. The National Highway Authority of India, through the Secretary, G-5 and 6 Sector-10, Dwarika, New D
3. The Chairman, National Highway Authority of India, G-5 and 6 Sector- 10, Dwarika, New Delhi, Pin- 1 null null
4. The Regional Officer, National Highway Authority of India, D-63, 2nd Floor Sri Krishnapuri , Rejesh
5. The Project Director, National Highway Authority of India, D-63, 2nd Floor Sri Krishnapuri , Rejesh
6. The State of Bihar, through the District Collector, Buxar.
7. The Competent Authority cum, District Land Acquisition Officer, Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prem Ranjan Kumar
For the Respondent/s	:	Mr.Maurya Vijay Chandra, Advocate
		Mr.Preety Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 19-11-2024

In the instant petition, petitioners have prayed for
the following relief(s):-

*That this is an
application for issuance writ in the
nature of Mandamus commanding
and directing the respondent
authorities to pay the award of 0.02
hectare of land of ChakbandiPlot No.
80/Survey Plot No. 102 and 0.010
hectare of land of ChakbandiPlot No.
81/Survey Plot No. 103, pertaining to*



Khata No. 19 of Mauza- Pratapsagar, District- Buxar, which was recorded in the name of the petitioners and said land has been acquired by the National Highways Authority of India (herein after referred as the 'NHAI') without paying the award (compensation) and the construction has been done by the respondent authorities over the land in question, and also directed to the respondent authorities to pay the interest on award/compensation at the rate of 9% per annum (as per NH Act) from the date of taking possession under section 3D of the National Highways Act 1956 (herein after referred as the NH Act).

2. Learned counsel for the petitioners submit that 0.02 hectare of land of Chakbandi Plot No. 80, Survey Plot No. 102 and 0.010 hectare of land of Chakbandi Plot No. 81, Survey Plot No. 103, pertaining to Khata No. 19 of Mauza – Pratapsagar, Buxar belong to the petitioners and the said land has been acquired for construction of NH by the Central Government. He further submits that they have already submitted land possession certificate and other required document but the compensation amount has not been given to them, although, the land has been acquired and construction has been made there too.

3. Learned counsel for the State submits that



petitioners have not submitted relevant document for the satisfaction of Respondent No. 7 – The Competent Authority -cum- District and Land Acquisition Officer, Buxar so that the compensation can be given to the petitioners.

4. Considering the facts and circumstances of the case and from the perusal of material available on record, the present writ petition stands disposed of with direction to the petitioners to represent their grievance afresh before the Respondent No. 7 – The Competent Authority -cum- District and Land Acquisition Officer, Buxar with all relevant document which has been annexed in the writ petition within four weeks from the date of receipt of this order. If petitioner represents his grievance within the stipulated period, the concerned authority is hereby directed to pass appropriate order within eight weeks after hearing the parties concerned and verifying all the necessary documents with respect to land in question, in accordance with law.

(Alok Kumar Pandey, J)

alok/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	21.11.2024
Transmission Date	N/A

