

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5921 of 2021

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Anurudh Paswan @ Anurudh Ram Son of Late Jungli Ram Resident of
Village - Noorganj, P.S. - Baroon, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar, Through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna
3. The District Magistrate, Aurangabad
4. The District Land Acquisition Officer, Aurangabad.
5. The D.C.L.R., Aurangabad Aurangabad.
6. The Circle Officer, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate
For the Respondent/s : Mr. AG

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 30-07-2024 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

2. The present writ petition has been filed for the
following reliefs :-

*i. For issuance of an appropriate writ
in the nature of “Mandamus” directing and
commanding the Respondents authorities to pay
the petitioner the adequate compensation for the
acquisition of his entire settled land in
accordance with law.*

*ii. For declaration that the land of
petitioner cannot be forcibly taken without
acquiring the land and without paying the
required compensation.*

3. Learned counsel appearing on behalf of the State



has taken a preliminary objection to the effect that the alternative remedy is available to the petitioner with regard to the insufficiency of the compensation amount as determined, by way of arbitration in terms of Section 3G (5) of the National Highways Act, 1956.

3. It goes without saying that if any question of limitation arises before the appropriate authority, the same shall be considered, taking into consideration the fact that the petitioner was pursuing the issue before this Court under Article 226 of the Constitution of India.

4. In view of the aforesaid, the present writ petition is disposed of with the direction to the petitioner to approach before the competent authority as prescribed under Section 3G (5) of the National Highways Act, 1956.

5. With the aforesaid direction, the writ petition stands disposed of.

(Rajesh Kumar Verma, J)

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