

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3156 of 2024

Md. Abdullah Son of Late Mahmud Hasan, Resident of Village - Mirpur Bhual, P.S. - Dighwara, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Land Revenue, Govt. of Bihar, Patna.
3. Commissioner, Saran at Chapra.
4. District Collector -Cum- Magistrate, Saran at Chapra.
5. District Land Acquisition Officer, Saran.
6. Addl. District Magistrate, Saran, Chapra.
7. Secretary-Cum- District Deputy Registrar, District Evaluation Samiti, Saran, Chapra.
8. District Registrar, District Registration Office, Saran, Chapra.
9. Sub. Divisional Officer, Sonepur, Saran.
10. D.C.L.R. Sonepur, Saran.
11. Circle Officer, Dighwara, Saran.
12. Project Manager, NHAI, Chapra, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Mishra, Advocate
		Mr. Nitesh Kr. Nirala, Advocate
For the Respondent/s	:	Mr. Ramadhar Singh, GP-25
For the NHAI	:	Dr. Iti Suman, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-06-2024 Heard the parties.

2. The present writ petition has been preferred for the
grant of following relief/s:-

*“(I) To direct the respondent authorities
to make sufficient, adequate and satisfactory
payment as per the rate of rule 3(4) for Saran*



District Minimum valuation of Guide Register for property in Saran District which must be ascertained in the date of Rs. 1150 per square feet.

In view of the facts of that the Double Storey building of petitioner has been acquired for the project of Sherpur Dighwara Ring Road with regards to survey plot no. 1048 under Mauza Saidpur Dighwara and a notice under Section 3G of NHAI Act, 1956 has been given through Award No. 105 ascertaining the compensation of Rs. 46,08,682.00 which is/was payable on or before 06.10.2023.

(II) For a direction to provide the compensation as per the rate of rule 3(4) of Saran District Minimum Valuation rate i.e. Rs. 1150 per square feet.

(III) To impose heavy cost upon erring authorities who have ascertained the compensations as per Rs. 800 per square feet in place of Rs. 1150 per square feet.

(IV) Any other relief/reliefs for which the petitioner is entitled for.”

3. A decision has been taken by the District Land



Acquisition Officer, Saran, Chapra and according to the petitioner despite his building having an RCC roof it has been valued at only Rs. 800 per square feet while he was entitled for 1150 per square feet.

4. He, however, candidly accepts that once an order has been passed, the recourse is before the Arbitrator-cum-Commissioner by filing an appropriate petition.

5. Learned State as also Union of India also jointly submit that once an order has been passed, the petitioner is well advised to approach the Arbitrator-cum-commissioner.

6. In that background, the writ petition stands disposed of with the observation that if the petitioner approaches the concerned authority within a period of four weeks from today, while disposing of limitation petition it shall be taken into consideration that he was pursuing remedy before Patna High Court.

(Rajiv Roy, J)

Adnan/-

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