

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4034 of 2024

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Arjun Singh Son of Late Ram Dahin Singh, Resident of Village-Sahbajpur,
P.S. Jehanabad, District-Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Reforms Government of Bihar, Patna.
2. The District Magistrate, Jehanabad.
3. The District Land Acquisition Officer, Jehanabad.
4. The Circle Officer, Jehanabad.
5. The Regional Officer, National Highway Authority of India, Patna, Bihar.
6. The Project Director, National Highway Authority of India, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Respondent/s	:	Mr. Standing Counsel (18)
For the NHAI	:	Dr. Maurya Vijay Chandra, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-06-2024 Heard the parties.

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

*“That, this writ application on behalf of
the petitioner is directed for issuance of
appropriate writ (s) direction (s) order (s)
preferably in the nature of mandamus for
payment of Rs. 6594300/- (Sixty Five Lakhs
ninety four thousand three hundred only) to the
petitioner as per the order dated 09.01.2016
passed by Additional Collector-cum-Arbitrator*



Jehanabad in Arbitration Case No. 33 of 2014-15 and award prepared by competent authority i.e. Senior Deputy Collector-cum-District Land Acquisition Officer, Jehanabad on 17.02.2017 as well as per the final award dated 09.01.2021 prepared by competent authority cum District Land Acquisition Officer, Jehanabad and to pay the interest @ of 12% per annum till the date of payment.

And for further commanding the respondents to pay the compensation amount of 11.69 decimal of land which has been acquired in construction of NH-83 Patna Dobhi National Highway fixing the compensation amount on the basis of commercial rate since compensation of only 6 six decimal land has been calculated on the basis of commercial rate whereas total 17 decimal of commercial land of petitioner has been acquired.”

3. A perusal of the different paragraphs of the writ petition would clearly show that the National Highway Authority of India has preferred appeal No. 18/2018 against the award dated 17.02.2017 which is pending before the competent Civil Court, Jehanabad.



4. Learned counsel for the petitioner after some argument submits that he will be taking up the matter before the aforesaid Civil Court in appeal No. 18/2018.

5. In that view of the fair submission, the writ petition stands disposed of with a direction to the competent Court to take up the appeal No. 18 /2018 and dispose it of expeditiously taking into account the fact that the matter is being litigated since the year, 2008 and the petitioner as per the petition is now 68 years.

6. The writ petition stands disposed of with aforesaid observation.

(Rajiv Roy, J)

Adnan/-

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