

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4236 of 2024

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Ajit Kumar Son of Jamuna Thakur, Resident of Mohalla- B.M.T. Lane, Near Vishhari Asthan, Barari, Police Station- Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The Union of India Through Additional Secretary, Road Transport Highway, Government of India, New Delhi.
2. The Chairman, National Highway Authority of India, Government of India, New Delhi.
3. The Deputy Secretary, National Highway Authority of India, Government of India, New Delhi.
4. The Regional Director, National Highway Authority of India, Government of India, New Delhi.
5. The State of Bihar, through the Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
6. The Director, Land Reforms and Revenue Department, Government of Bihar, Patna.
7. The Commissioner, Bhagalpur Division, Bhagalpur.
8. The District Magistrate, Bhagalpur.
9. The District Land Acquisition Officer, Bhagalpur.
10. The Circle Officer, Goradih, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Diwakar Yadav, Advocate
For the Respondent/s	:	Mr.Additional Solicitor General
For NHA	:	Mr. Rajesh Shandilya, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-06-2024 Heard the parties.

2. The petitioner has prayed for the following reliefs:

(i) for issuance of an appropriate writ/order/direction to the respondents to calculate the amount of compensation of acquired land of



the petitioner as per the provisions of the Fair Price of Land Acquisition Rehabilitation and Resettlement Act 2013 and further make payment the rest amount after deduction Rs. 3,82,488/- (Three Lac Eighty Two Thousand Four Hundred Eighty Eight) which has been paid without providing the calculation chart and copy of the award prepare in the name of petitioner;

(ii) for issuance of an appropriate writ /order/ direction that petitioners purchased land of an area 8.257 decimal of Mauza-Bishanpur Jichho, Thana No. 103, Khata No. 148, Plot No. 1064 was acquired in pursuance of notification dated 22.08.2019 issued under signature of Deputy Secretary, National Highway



*Authority of India in short (NHAI)
Government of India for
construction of NH 80 but the
compensation amount has not been
calculated as per law and a meager
amount has been paid to the
petitioner;*

*(iii) for issuance of appropriate
writ / order / direction that
respondent may be directed to
calculate the damages caused to the
petitioner with respect to the
erected boundary and at the time
of R.C.C. piling and earth filling;*

*(iv) for issuance of appropriate writ
/ order / direction to the grant any
other relief or reliefs for which the
petitioner entitled under the law.*

3. Learned counsel for the petitioner after some argument accepts that now a decision has been taken, he has to approach the Divisional Commissioner, Bhagalpur Division, Bhagalpur. The further submission is that though a



representation was earlier sent through Speed Post, the petitioner shall be filing a fresh petition along with the relevant documents before the Divisional Commissioner, Bhagalpur Division, Bhagalpur within a period of four weeks.

4. The writ petition stands disposed of with liberty to the petitioner to approach the concerned respondent.

5. If the petition is preferred within four weeks from today, the Divisional Commissioner, Bhagalpur Division, Bhagalpur shall consider the limitation petition taking into account that the writ petition was pending before this Court.

(Rajiv Roy, J)

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