

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4569 of 2022

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Pramod Kumar Son of Shri Rajendra Prasad Resident of Village and P.O. -
Nadaul, P.S. - Masaurhi, District- Patna.

... .. 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 Principal Secretary, Building and Construction Department, Govt. of Bihar, Patna.
4. The Executive Engineer, Patna City, Building and Construction Department, Govt. of Bihar, Mahavir Ghat, Patna City.
5. The Commissioner, Patna Division, Patna.
6. The District Magistrate, Patna.
7. The Collector, The Collector, Patna Collectorate, Patna. (District Land Acquisition Branch).
8. The District Land Acquisition Officer, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
9. National Highway Authority of India, Ministry of Road and Transport Highways, Govt. of India through its Chairman.
10. The Project Implementation Unit, National Highway Authority of India, A.P. Colony (Opposite Judicial Quarter), Gaya.
11. The Project Director, National Highway Authority of India Project Implementation Unit, N.H. 83, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arun Kumar
For the NHAI	:	Ms.Soni Shrivastava
For the Respondent/s	:	Mr.Md. Khurshid Alam

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-02-2024 Heard counsel for the parties.

2. This writ application has been filed for directing the respondents to pay the petitioner fair compensation of his acquired land as mentioned in paragraphs 5 and 6 of the writ



application, by treating the nature of land to be commercial in place of agricultural.

3. At the very outset, learned counsel for the respondent NHAI appears and raises a preliminary objection to the effect that statutory alternative remedy is available to the petitioner with regard to insufficiency of the compensation amount as determined, by way of arbitration in terms of Section 3G(5) of the National Highways Act, 1956, provided he produces documents with respect to his right and title over the land in question.

4. Learned counsel for the petitioner does not dispute the above proposition.

5. In the above view of the matter, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction.

6. However, petitioner is directed to file an appropriate application before the appropriate authority along with all the relevant documents in support of the claim, within a period of six weeks from today.

7. In the event, such application is filed by the petitioner, appropriate authority shall examine claim of the petitioner and dispose of the same in accordance with law after



hearing the parties, preferably within a period of six months thereafter.

8. It is made clear that if the petitioner approaches the appropriate authority, he would have regard to the present proceeding being pursued by the petitioner, while considering any issue relating to condonation of delay, if applicable.

9. The writ application stands disposed of.

(Prabhat Kumar Singh, J)

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