

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8200 of 2021

1. Aman Kumar Son of Late Rajendra Mishra resident of Village- Madhoul, Police Station- Kurhani, District- Muzaffarpur.
2. Ajay Kumar Prabhakar Son of Late Ramadhar Pandey resident of Village- Madhoul, Police Station- Kurhani, District- Muzaffarpur.
3. Draupadi Kumari Devi Wife of Lal Bahadur Chaudhary resident of Village- Madhoul, Police Station- Kurhani, District- Muzaffarpur.
4. Anil Kumar Sharma Son of Late Ram Nandan Sharma resident of Village- Dariyapur, Police Station- Kurhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Collector, Muzaffarpur.
4. District Land Acquisition Officer, Muzaffarpur.
5. Chairman NHAI, G5 and 6, Sector 10, Dwarka, New Delhi.
6. Regional Officer, NHAI, Patna, D- 63, 1st Floor Shri Krishnapuri, Patna.
7. Project Director N.H.A.I. N.H.- 77, Hajipur, Hajipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Tiwari, Advocate
For the NHAI	:	Mr. Rajesh Shandilya, Adv
		Mr. Vinayak Harshvardhan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

8 30-04-2024 Heard the parties.

2. The petitioners have prayed for the following
reliefs:

*(i) to direct the respondents as to
make the payment of compensation
amount of the acquired land and the*



constructed area over the acquired lands to the petitioners in terms of the provisions of The Right to Fair Compensation and Transparencies in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred as to Act, 2013);

(ii) to direct the respondents not to evict the petitioners from the acquired land and the buildings constructed over the area without making them payments of the respective compensation amount in terms of the provisions of The Right to Fair Compensation and Transparencies in Land Acquisition, Rehabilitation and Resettlement Act, 2013;

(iii) to direct the respondents to make remeasurement of the acquired lands and constructed area



over the same, thereupon to make determination of compensation in accordance with the provision of the Act, 2013.

(iv) for grant of any other relief(s) which may deem fit and proper in the facts and circumstances of the present case.

3. Finally, counter affidavits have been filed by the State as also the Union of India are on record and learned State Counsel took this Court to paras- 6, 7 and 8 to show that in case some of the petitioners, payments have been made and where there was dispute between the other petitioners and co-sharers, the amount has been deposited under section 3H(4) of the National Highway Act, 1956 before the competent Civil Court, Muzaffarpur.

4. Learned counsel for the petitioners submit that though payments have been made in some cases/deposited in others, the details for which, the said payments were made was not made available to them.

5. In that background, he submits that he may have the liberty to approach the appropriate authority for the



aforesaid redressal of the grievance.

6. Granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

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