

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8814 of 2024

1. Md. Anisur Rahman Son of Saheb Jan Resident of Village Kairwa, P.O. and P.S.- Dhaka, District- East Champaran.
2. Md. Aatur Rahman, Son of Saheb Jan Resident of Village Kairwa, P.O. and P.S.- Dhaka, District- East Champaran.
3. Mohd. Ezazur Rahman, Son of Saheb Jan Resident of Village Kairwa, P.O. and P.S.- Dhaka, District- East Champaran.
4. Mohd. Ziyaur Rahman @ Zeyaur Rahman, Son of Saheb Jan Resident of Village Kairwa, P.O. and P.S.- Dhaka, District- East Champaran.
5. Mohamad Shamshad Ahmad @ Md. Shamshad Ahmad, Son of Late Shekh Munir Alam Resident of Village- Auraiya, P.O. and P.S. Dhaka, District- East Champaran- 845418.
6. Faiyaj Ahmad, Son of Late Shekh Munir Alam Resident of Village- Auraiya, P.O. and P.S. Dhaka, District- East Champaran- 845418.
7. Savila Khatoon, Wife of Late Shekh Munir Alam Resident of Village- Auraiya, P.O. and P.S. Dhaka, District- East Champaran- 845418.
8. Md. Hasim, Son of Late Manjural Haque, Resident of Village- Auraiya, P.O. and P.S.- Dhaka, District- East Champaran- 845418.
9. Sahnaz Begum, Wife of Ashfaque Hussain, Resident of Village Auraiya, P.O. and P.S. Dhaka, District- East Champaran- 845418.
10. Zikrullah, Son of Late Tahir Hussain Resident of Ward No.- 6, Village- Auraiya, P.O. and P.S.- Dhaka, District- East Champaran- 845418.
11. Md. Atiullah, Son of Late Tahir Hussain Resident of Ward No.- 6, Village- Auraiya, P.O. and P.S.- Dhaka, District- East Champaran- 845418.
12. Mohammad Shafiullah, Son of Late Tahir Hussain Resident of Ward No.- 6, Village- Auraiya, P.O. and P.S.- Dhaka, District- East Champaran- 845418.
13. Md. Jakir Hussain, Son of Mohammad Taslim Resident of Ward No.- 7, Village- Auraiya, P.O. and P.S.- Dhaka, District- East Champaran- 845418.
14. Mohammad Shakir Hussain, Son of Mohammad Taslim Resident of Ward No.- 7, Village- Auraiya, P.O. and P.S.- Dhaka, District- East Champaran- 845418.
15. Meraj Alam, Son of Shekh Jobair R/o Aurayia, Ward No.-7, P S.- Dhaka, District- East Champaran, Bihar - 845418.
16. Nur Alam, Son of Shekh Jobair R/o Aurayia, Ward No.-7, P S.- Dhaka, District- East Champaran, Bihar - 845418.
17. Rajawana Khatoon, Wife of Farhaat Hussain, Resident of Village Amwa Kalan, Post Mahuawa, District- Sheohar - 843334.
18. Mohammad Sohail Akhtar, Resident of Ward No.-7, Village- Auraiya, P.O. and P.S. Dhaka, District- East Champaran-845418.
19. Md. Nurul Haque @ Nurul Haque, Son of Late Abdul Wahid, Resident of Auraiya, Post- Dhaka, P.S- Dhaka, District- East Champaran, Bihar 845418.
20. Md. Salim, Son of late Md. Manjoorul Haque, R/o Aurayia, Ward No.-7, P.S.



Dhaka, District- East Champaran, Bihar - 845418.

21. Md. Zeyaul Haque, Late Irshadur Rahman, Resident of Ward No.-6, Village-
Auraiya, P.O. and P.S- Dhaka, District- East Champaran-845418.

... .. Petitioner/s

Versus

1. The Union of India Through Secretary ,Ministry of Road Transport and Highways,New Delhi.
2. National Highways Authority of India, New Delhi through its Chairman.
3. The State of Bihar through the Divisional Commissioner, Tirhut Division, Muzaffarpur.
4. The Divisional Commissioner -cum- Arbitrator, Tirhut Division, Muzaffarpur.
5. The Collector (District Magistrate) -cum- District Land Acquisition Officer, East Champaran, Motihari.
6. The Sub-Divisional Officer, Sikarhana, Dhaka, District- East Champaran.
7. The Circle Officer, Nagar Parishad Dhaka, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Noushad Khan- Advocate
For the Respondent/s	:	Mr. Additional Solicitor General
		Mr. Standing Counsel-24
		Mr. Kumar Manglam-AC to SC-24
For the N.H.A.I.	:	Mr. Anand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2024 1. Heard learned counsel for the petitioners,

learned AC to SC-24 for the State and the learned counsel

appearing on behalf of the National Highways Authority of

India.

2. The learned counsel appearing on behalf of the

National Highways Authority of India submits that

petitioners have rushed to this Court for seeking relief as

prayed in the instant writ application. It is next submitted



that if petitioners are aggrieved by the compensation determined with respect to their land acquired, in that event, petitioners have remedy of moving before the Divisional Commissioner-cum- Arbitrator under Section 3(G)(5) of the National Highways Act.

3. The learned counsel for the petitioners, after arguing for sometimes realizing his difficulties, seeks permission to withdraw the present writ application with liberty to move before the Divisional Commissioner-cum-Arbitrator in terms of Section 3(G)(5) of the N. H. Act for seeking the relief as claimed in the instant writ application.

4. Permission is accorded.

5. Accordingly, instant writ petition is dismissed as withdrawn with the liberty aforesaid.

(Satyavrat Verma, J)

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