

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7421 of 2024

1. Baidhanath Sah son of Ramchandra Sah, resident of Village-Barewa, Post Chandanbara Chainpur, P.S. Dhaka, District-East Champaran, Bihar 845304.
2. Shambhu Sah, son of Ramchandra Sah, resident of Village-Barewa, Post Chandanbara Chainpur, P.S. Dhaka, District-East Champaran, Bihar 845304.
3. Asharfi Sah, son of Munshi Sah, resident of Village-Barewa, Post Chandanbara Chainpur, P.S. Dhaka, District-East Champaran, Bihar 845304.
4. Anil Sah, son of Asharfi Sah, resident of Village-Barewa, Post Chandanbara Chainpur, P.S. Dhaka, District-East Champaran, Bihar 845304.
5. Randheer Kumar, Son of Mahendra Sah, resident of Village-Barewa, Post Chandanbara Chainpur, P.S. Dhaka, District-East Champaran, Bihar 845304.
6. Uma Devi, Wife of Kamal Sah, resident of Village-Barewa, Post Chandanbara Chainpur, P.S. Dhaka, District-East Champaran, Bihar 845304.
7. Pannalal Mahto, son of Shukan Mahto, resident of Village-Barewa, Post Chandanbara Chainpur, P.S. Dhaka, District-East Champaran, Bihar 845304.

... .. Petitioner/s

Versus

1. The Union of India through Secretary Ministry of Road Transport and Highway, 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 State	:	Mr. Raghwendra Kumar- SC-22 Mr. AC to SC-22
For the N.H.A.I.	:	Mr. Sriram Krishna- Advocate Mr. Prabhat Kumar Singh- Advocate Mr. Shashank Shekhar Kunwar- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2024

1. Heard learned counsel for the petitioners, learned



Standing Counsel-22 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 for 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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