

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18689 of 2015

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Haresh Kumar Mishra Son of Late Surya Narayan Mishra, Resident of At and P.O. and P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

1. The Union Of India and Ors
2. The National Highways Authority of India, G-5/6, Sector-10, Dwarika New Delhi through its Chairman.
3. The District Magistrate-cum- Collector, Madhubani.
4. The Competent Authority-cum-District Land Acquisition Officer, Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sudhir Kumar Bijpuria, Adv
For the Respondent/s	:	Mr. Archana Meenakshee, GP-6
		Mr. K.Kumar Ac to GP-6

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-01-2024 Heard the parties.

2. The writ petition has been filed for directing the respondent authorities to pay and settle the amount of compensation as per the current market value of the land which was acquired by the Respondents under the National Highway Act.

3. Learned counsel for the NHAI raises preliminary objection to the effect that an alternative remedy is available to the petitioners by way of filing appeal under Section 3G(5) of The National Highways Act, 1956 which reads as:

“If the amount determined by the arbitrator



to be appointed by the Central competent authority under sub-section (1) or subsection (2) is not acceptable to either of the parties, the amount shall, on an application by either of the parties, be determined by the arbitrator to be appointed by the Central Government.”

4. Learned counsel for the petitioners 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. Petitioners shall be at liberty to seek remedy before the appropriate forum as may be available to them in accordance with law.

7. Writ petition stands disposed of with the aforesaid observations.

(Prabhat Kumar Singh, J)

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