

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9092 of 2022

1. Shanti Devi Wife of Umesh Kumar Resident of Village- Hisua (Hisua Gaya Road), P.O. and P.S.- Hisua, District- Nawada.
2. Rina Devi Wife of Mohan Kumar Resident of Village- Hisua (Hisua Gaya Road), P.O. and P.S.- Hisua, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Arbitrator-cum-Commissioner, Magadh Division, Gaya.
3. The District Magistrate, Nawada.
4. The District Land Acquisition Officer, Nawada.
5. The Additional Collector, Nawada.
6. The Chief Manager (Tech.), Bihar State Road Development Corporation Limited (BSRDCL), Project Implementation Unit (PIU), Rajgir at Gaya.
7. The Additional Chief General (Tech.), Bihar State Road Development Corporation Limited (BSRDCL), Project Implementation Unit (PIU), Rajgir at Gaya.
8. The Sub Divisional Officer, Nawada.
9. The Circle Officer, Hisua (Nawada), District- Nawada.
10. The Executive Officer, Nagar Parishad, Hisua, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.
For the Respondent/s : Mr. Sajid Salim Khan (Sc 25)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 24-06-2024 Heard the parties.

2. The present writ petition has been filed for the issuance of appropriate writ/writs commanding the respondent authorities to make payment of compensation in lieu of the land and structure acquired by the Four Lane Project of N.H. 82 Gaya-Hisua-Rajgir-Nalanda-Biharsharif Sections in compliance

of the order dated 04.03.2022 passed by the Arbitrator-cum-Commissioner, Magadh Division, Gaya (Respondent No. 2) in Arbitration on Case No. 60/2020 and further directing the respondent authorities to re-measure the acquire land and re-evaluate the compensation amount keeping in view of that the structure made over the acquired land is of Deluxe class, and or any relief or reliefs for which it he petitioners are entitled under the law.

3. Counter affidavits on behalf of the respondents is/are on record and as per the counter affidavit of respondent nos. 3 to 5, the Bihar State Development Corporation Limited chose to prefer appeal vide Case No. 02 of 2022 against the order passed in Arbitration Case No. 60 of 2020 under Section 34 of the Arbitration and Conciliation Act, 1986.

4. Learned counsel for the petitioners submits that though the aforesaid case has been filed, she got the knowledge of the same only through the counter affidavit as no notices have still been served upon her. He as such submits that the helpless lady will be pursuing her case before the competent Civil Court but the same be decided at an earliest.

5. In view of the fair submission put forward by learned counsel for the petitioners not objected by the

respondents, the competent Civil Court where the Case No. 02 of 2022 is pending against the Arbitration Case No. 60 of 2020 shall see to it that the matter is taken up and after hearing all the necessary parties, dispose of the same expeditiously preferably within a period of six months from the date the copy of the order is received by it.

6. The writ petition stands disposed of.

(Rajiv Roy, J)

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