

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13856 of 2021

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Yamana Ram @ Yumana Ram @ Yamuna Ram S/o-Late Bhikari Ram R/o-
Vill.- Noorganj, P.S.- Baroon, Dis.-Aurangabad.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The District Magistrate, Aurangabad.
4. The District Land Acquisition Officer, Aurangabad.
5. The D.C.L.R., Aurangabad.
6. The Circle Officer, Aurangabad.
7. The National Highways Authority of India, through the Project Director.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Brij Bihari Tiwary, Advocate
For the Respondent/s	:	Mr.R.R.Sinha, SC 19 & Mr.S.Kumar, AC to SC 19
for the NHAI		Mr. Kr. Goutam, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 01-02-2024 Heard learned counsel for the parties.

2.Writ petition has been filed for directing the respondents to pay the petitioner the adequate compensation for acquisition of his entire settled land mentioned in the writ petition.

3. At the very outset, learned counsel for the respondents raises a preliminary objection to the effect that alternative remedy is available to the petitioner with regard to insufficiency of the compensation amount as determined, by way of arbitration in terms of Section 3G (5) of the National Highways Act, 1956.

4. Learned counsel for the petitioner 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. Let the petitioner seek remedy before the appropriate authority within a period of six weeks from today. In the event, such application is filed by the petitioner within the stipulated period, the same shall be disposed of in accordance with law after hearing the parties, preferably within a period of six months thereafter.

6. It goes without saying that if any question of limitation arises before the appropriate authority, the same shall be considered, taking into consideration the fact that the petitioner was pursuing the issue before this Court under Article 226 of the Constitution of India.

7. This writ petition is accordingly disposed of with the aforesaid observations.

(Prabhat Kumar Singh, J)

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