

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2034 of 2021

1. Dinanath Prasad Chaudhary @ Dinanath Chaudhary son of Late Dharamnath Chaudhary residence of Village- Mirganj Harkhauli, Post-Office and Police Station- Mirganj, District- Gopalganj.
2. Hridya Nand Yadav @ Hridya Chaudhary Son of late Ramchandra Chaudhary residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
3. Santosh Kumar Yadav @ Santosh Kumar Son of late Dinanath Prasad residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
4. Bhola Yadav @ Bhola Chaudhary Son of late Bikram Chaudhary residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
5. Parasnath Chaudhary Son of late Rajpati Chaudhary residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
6. Munna Yadav Son of late Shivpujan Chaudhary residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
7. Manoj @ Manoj Chaudhary Son of late Indrasan Chaudhry residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
8. Tuntun Yadav @ Tuntun Chaudhary Son of late Indrasan Chaudhry. residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
9. Dharamnath Chaudhary Son of late Rajpati Chaudhary residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
10. Ramesh Chaudhary Son of late Hiranman Chaudhary residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
11. Wakil Chaudhary Son of late Mogal Chaudhary residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
12. Lalan Chaudhary Son of late Rama Chaudhary residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
13. Sipahi Chaudhary Son of late Murat Chaudhary residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
14. Luxman Chaudhary Son of late Vrikha Chaudhary residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
15. Anridh Mahto Son of late Mathura Mahto residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.



- 16. Dilip Chaudhary Son of late Gorakh Chaudhary residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.
- 17. Kunti Devi Son of late Mohan Yadav residence of Village- Mirganj Harkhauli, Post- Office and Police Station- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Chief Secretary Government of Bihar, Patna.
- 2. The District Magistrate, District- Saran at Chapra.
- 3. The District Land Acquire Officer, District- Gopalganj.
- 4. The Circle Officer, Mirganj, District- Gopalganj.
- 5. The Principal Secretary National Highway Govt. of Bihar, Patna.
- 6. The Engineer-In- Chief National Highway Govt. of Bihar, Patna.
- 7. The Chief Engineer National Highway Govt. of Bihar, Patna.
- 8. The Superintending Engineer, National Highway Govt. of Bihar, Muzaffarpur.
- 9. The Executive Engineer National Highway Dist- Saran at Chapra.
- 10. The National Highway Authority of India through Project Director, Chapra at Saran.
- 11. The Commissioner -cum-Arbitrator, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav, Advocate
For the State : Mr. Ebadur Rahman Shakeb, AC to AAG-12
For the NHAI : Mrs. Soni Shrivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-07-2024 Learned counsel for the petitioners is directed to implead ‘The Commissioner -cum-Arbitrator, Saran at Chapra’ as respondent no.11 in course of the day.

2. Heard Mr. Shambhu Prasad Yadav, learned counsel for the petitioners, Mr. Ebadur Rahman Shakeb, learned AC to AAG-12 for the State as well as Mrs. Soni Shrivastava, learned counsel appearing on behalf of the NHAI.



3. In view of the order dated 21.04.2022 passed in C.W.J.C. No. 1308 of 2020 and order dated 04.09.2023 passed in L.P.A. No. 249 of 2022, learned counsel for the petitioners seeks permission to withdraw this application with the liberty to move before the appropriate forum under Section 3(G)(5) of the National Highway Act, 1956.

4. If the petitioners file the application before the competent authority under Section 3(G)(5) of the National Highways Act, 1956 within a period of six weeks, the competent authority (Divisional Commissioner) is directed to dispose of the application of the petitioners under Section 3(G)(5) of the National Highways Act, 1956 within a period of six months from the date of the filing of such representation/application in accordance with law.

(Rajesh Kumar Verma, J)

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