

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1593 of 2021

1. Inamul Huk, Son of Bhikhu Miyan, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
2. Hari Nath Singh, Son of Late Mathura Singh, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
3. Ramesh Kumar, Son of Late Dharamnath Bhagat, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
4. Bharat Prasad, Son of Late Devnandan Prasad, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
5. Omhari Singh, Son of Late Subhash Singh, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
6. Sriram Chaudhary, Son of Late Ganesh Chaudhary, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
7. Badshah Alam, Son of Late Shah Alam, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
8. Munna Miyan, Son of Late Israil Miyan, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
9. Abbas Ali, Son of Late Muslim Ali, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
10. Prvinchndra Singh, Son of Late Ramnath Singh, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
11. Basdev Singh, Son of Late Sitaram Singh, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
12. Yogendra Kumar, Son of Late Sir Bhagwan Singh, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
13. Vijay Kumar Singh, Son of Late Jaiprakash Singh, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
14. Prakash Kumar Son of Late Ramchandra Prasad, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
15. Awadhesh Singh, Son of Late Ramchandra Singh, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
16. Raj Bahadur Singh, Son of Late Sri Kisun Singh, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
17. Radhosharan Prasad, Son of Late Shivnath Prasad, Residence of Village -



- Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
18. Satendra Prasad, Son of Late Sitaram Singh, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 19. Mahmud Ali, Son of Late Ahmad Ali, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 20. Baldev Singh, Son of Late Bhagla Singh, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 21. Rameshwer Prasad, Son of Late Bishavnath Sonar, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 22. Rama Kant Prasad, Son of Late Paras Prasad, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 23. Manejer Chaudhary, Son of Late Jagarnath Chaudhary. Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 24. Kapildev Bhagat Son of Late Janki Bhagat, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 25. Ramesh Prasad, Son of Late Bishavnath Vari, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 26. Hareram Mahto, Son of Late Radha Mahto, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 27. Md. Fesal, Son of Late Bachcha Miyan, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 28. Shiv Ji Sah, Son of Late Mahavir Sah, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 29. Bali Ram Chaudhary, Son of Late Mahesh Chaudhary, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 30. Jaisri Mahto, Son of Late Chanar Mahto, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 31. Halim Miyan, Son of Late Raj Mohammad, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 32. Husen Miyan, Son of Late Moharam Miyan, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 33. Sugiya Devi, Wife of Late Ram Kisun Singh, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 34. Prabhawati Devi, Son of Late Ram Pravesh Singh, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 35. Kunti Devi, Wife of Late Shiv Taahal Sah, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
 36. Saida Khatoon, Wife of Late Mokim Miyan, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.



37. Salim Miyan, Son of Late Raj Mohammad, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
38. Musmat Girja Devi @ Girja Devi, Wife of Late Jawahar Prasad, Residence of Village - Mirganj Harkhauli, Post Office and Police Station- Mirganj, District - Gopalganj.
39. Hira Lal Chaudhry, Son of Late Ganesh Chaudhary, 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 NHAI through the Project Director P.I.U. Chapra.
11. The Commissioner -cum-Arbitrator, Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shambhu Prasad Yadav, Advocate
For the State	:	Mr. Raj Kishore Roy, GP-18
For the NHAI	:	Mr. S.N. Pathak, Advocate
	:	Mr. Saurabh Kumar, Advocate

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. Raj Kishore Roy, learned GP-18 for the



State as well as Mr. S.N. Pathak, 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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