

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10729 of 2024

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Kalpati Devi Alias Kalapati Devi, Wife of Jagdish Sah, resident of Village -Pajrawan, P.S-Nuaon (Ramgarah), District-Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary Land Revenue Bihar, Patna.
2. The Collector, Kaimur.
3. The Deputy Collector Land Revenue, Mohania (Kaimur),
4. The Circle Officer, Nuaon (Kaimur).
5. The National High way Authority (N.H.) 319A, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anant Kumar Pandey, Advocate
For the Respondent/s	:	Mr. Government Pleader 7
For the NHAI	:	Dr. Maurya Vijay Chandra, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-07-2024 Heard Anant Kumar Pandey, learned Advocate for the petitioner and Mr. Maurya Vijay Chandra, Standing Counsel representing the National Highways Authority of India (NHAI).

2. The petitioner by invoking the extraordinary jurisdiction of this Court seeking a direction from the respondent authorities to ensure payment of compensation as per residential rate of the land acquired by the NHAI for construction of National Highway.

3. At the outset, learned Advocate for the NHAI, raises a preliminary objection with regard to maintainability of the writ petition in view of the availability of statutory remedy



before the learned Arbitrator as notified under the National Highway Act, 1956. This Court finds substance in the stand taken by the respondent.

4. In view thereof, the present writ petition stands disposed of with a liberty to the petitioner to avail the remedy provided under the National Highway Act, 1956.

5. The writ petition stands disposed of with the liberty aforesaid.

(Harish Kumar, J)

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