

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12647 of 2024

Yogendra Mahto, Son of Late Natthu Mahto, resident of Village- Araria Sangram, P.O. - Tulapatganj, P.S. and Anchal - Jhanjharpur, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector of District (D.M.), Madhubani.
2. The Additional Collector-cum-Arbitrator, NH-57 Project, Madhubani, District- Madhubani.
3. The District Land Acquisition Officer-cum-Competent Officer NH-57, Project- Madhubani, District- Madhubani.
4. The National Highway Authority of India, through the Chairman, NHAI, New Delhi.
5. The Project Director, NHAI, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Lakshmindra Kumar Yadav, Advocate Mr. Prabhu Narayan Prabhakar, Advocate
For the Respondent/s	:	Mr. Sanjay Kumar, AC to GP-7 Mr. Satyanand Kumar, Advocate
For N.H.A.I.	:	Mr. S.N.Pathak, Advocate Mr. Saurav Pathak, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-09-2024 Heard the parties.

2. The petitioner seeks a direction upon the respondent to ensure payment of left over interest with effect from due date till the date of payment at the rate of 9% interest per annum on the total compensatory amount over 20 decimal of land which have been acquired by the NHAI.

3. Learned Advocate for the petitioner contended that the land in question was acquired for construction/widening of road by NH-57 and the compensation amount as per commercial rate for the said 20 decimal land, has been paid to the petitioner. However, despite the order passed by this Court in CWJC No.



4947 of 2012 the petitioner has not been paid interest on the compensatory amount, though delay has occurred in ensuring the payment.

4. It is next contended that when the order of the Hon'ble Court has not been complied, the petitioner also preferred M.J.C. which stood dismissed vide order dated 04.10.2023 with a liberty to the petitioner to approach before the competent authority.

5. Learned Advocate for the NHAI countering the submission of the learned Advocate for the petitioner submitted at the Bar if the petitioner has any grievance with regard to the interest of the compensatory amount/award, the petitioner has the remedy to approach before the arbitrator under Section 3G(5) of the National Highways Act, 1956.

6. Considering the nature of the grievance and the submissions at the Bar, the writ petition stands disposed of with a liberty to the petitioner to approach before the competent authority as prescribed under the National Highways Act, 1956, if so desired.

7. The writ petition stands disposed of.

(Harish Kumar, J)

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