

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14390 of 2024

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1. Jay Narayan Singh S/o- Late Banarshi Singh Resident of Village- Rupibandh, Police Station Kochas, District- Rohatas at Sasaram.
 2. Ganpat Singh, S/o- Late Ramayan Singh, Resident of village- Sahuar, P.S.- Kargahar, District- Rohatas at Sasaram.
 3. Devmuni Singh, S/o- Late Ramayan Singh, Residence of Village- Sahuar, P.S.- Karahagar District- Rohatas at Sasaram.
 4. Madhuri Devi, W/o- Prayag Singh, Residence of Village- Mohania, ward No.- 09, P.S.- Mohania, District- Kaimur at Bhabua.
 5. Neetu Devi, W/o - Dinesh Kumar Residence of Village- Darwan, P.S.- Mohania, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, General Administration Department, Government of Bihar, Patna.
2. The Principal Secretary, Department of Land Reforms, Government of Bihar, Patna.
3. The Commissioner, Patna Division, Patna.
4. The District Magistrate Cum District Land Acquisition Officer, Kaimur at Bhabua.
5. The S.D.O., Mohania, Kaimur at Bhabua.
6. The D.C.L.R. -cum-Competent Authority, Mohania, Kaimur at Bhabua.
7. The Director, National Highway Authority of India Ltd., New Delhi
8. The Project Manager, National Highway Authority of India Ltd., N.H.- 319A, Bihar, Patna, Sri Krishna Nagar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shyam Bihari Singh, Advocate
For the Respondent/s	:	Mr. AC to AAG-4
For the NHAI	:	Mr. Saket Tiwary, Advocate
		Mr. Rakesh Kumar Singh, Advocate
		Mr. Animesh Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-09-2024 Heard the parties.

2. The petitioners are aggrieved by the action of the competent authority cum land reforms, Deputy Collector, Mohania whereby, the land of the petitioners which were acquired for construction of NH-319 A (*Buxar-Chausa-*



Ramgadh-Mohania) has been declared as agriculture land in place of residential.

3. Learned Advocate for the respondent NHAI submits at the bar that if the petitioners have any grievance with regard to the nature of the land, in commensurate to which the compensation amount has been determined and paid to the petitioners, the petitioners have the remedy before the Divisional Commissioner-cum-Arbitration, under Section 3G(5) of the National Highway Act, 1956.

4. Considering the averments made in the writ petition and the nature of the grievance, the writ petition stands disposed off with a liberty to the petitioners to approach before the concerned Divisional Commissioner-cum-Arbitrator as notified by the Government of India under Section 3G(5) of the National Highway Act, 1956.

5. Suffice it to say that if the petitioners approach before the concerned Divisional Commissioner-cum-Arbitrator preferably within a period of four weeks, from today, the same shall be considered and disposed off within a further period of four months thereafter.

6. The writ petition stands disposed off, with the liberty aforesaid.

(Harish Kumar, J)

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