

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13453 of 2024

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Shoubhagya Prada Devi Wife of Om Prakash Rav Resident of Village Surhari,
Block- Manpur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar, through Chief Secretary, Government of Bihar, Patna.
2. The Union of India, through Ministry of Road Transport and Highway,
Regional Office- Near Nakati Bhawani Mandir, NH-98, P.O.-
Mohammadpur Kurji, Via Khagaul, Patna- 801105.
3. The District Magistrate, Gaya.
4. The District Land Acquisition Officer, Gaya.
5. The Chief General Manager, Bihar State Road Development Corporation
Limited, Government of Bihar, Patna.
6. The Deputy General Manager, Bihar State Road Development Corporation
Limited, Government of Bihar, Patna.
7. The Assistant Executive Engineer, Ministry of Road Transport and Highway,
Regional Office- Near Nakati Bhawani Mandir, NH-98, P.O.-
Mohammadpur Kurji, Via Khagaul, Patna- 801105.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kunal Tiwary, Advocate

For the Respondent/s : Mr. Government Pleader (17)

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

Date : 10-09-2024

Heard the parties.

2. The petitioner by invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India seeking a direction upon the respondent authorities, particularly the District Land Acquisition Officer, Gaya (Respondent No.4) to ensure payment of compensation amount of Rs.2,74,40,784/- (Rupees Two Crore Seventy Four Lakh



Forty Thousand Seven Hundred Eighty Four) to the petitioner as decided by the respondent No.4 vide letter dated 05.04.2023 for the land of the petitioner ad-measuring 36 decimals acquired by the respondent authorities in the year 2019 for widening of NH-82 from Gaya-Hisua-Rajgir.

3. Learned Advocate for the petitioner fairly contended that after acquisition of the land, the notification under Section 3G has already been issued and thereupon the award has been passed in favour of the petitioner on 03.01.2023. Learned Advocate for the petitioner also brought on record a copy of the award passed by the learned Arbitrator-cum-Commissioner, Magadh Division, Gaya marked as Annexure-P/2.

4. At this juncture, learned Advocate for the respondents urged that since the petitioner is seeking execution of the award passed by the learned Arbitrator, the petitioner has only remedy available under Section 36 of the Arbitration and Conciliation Act, 1996.

5. This Court finds substance in the objection raised by the learned Advocate for the respondents. In view of the aforesaid facts, the writ petition stands disposed of with a liberty to the petitioner to avail the remedy available under Section 36



of the Arbitration and Conciliation Act, 1996.

6. Suffice it to say, if the petitioner approached before the competent court, the same shall be considered and disposed of expeditiously.

(Harish Kumar, J)

durgesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.09.2024
Transmission Date	NA

