

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14350 of 2024

Arvind Vishwakarma Son of Sitaram Mistri Resident of Village- Bhadaiya,
P.O.- Bhadaiya, P.S.- Barachatti, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Gaya.
2. The District Land Acquisition Officer, Gaya.
3. The Additional Collector, Gaya.
4. The Deputy Collector Land Reforms, Sherghati, District- Gaya.
5. The Circle Officer, Barachatti, District- Gaya.
6. The Union of India, through the Secretary, Ministry of Road Transport and National Highway, New Delhi.
7. National Highway Authority of India, through its Project Director, New Delhi.
8. Regional Officer, National Highway Authority of India, Boring Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Narain Yadav, Advocate
For the Respondent/s	:	Mr. S. C. Mishra, SC-16
For the NHAI	:	Mr. Vinayak Harshvardhan, Advocate
		Mr. Rajesh Kumar Shandilya, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-09-2024 Heard Mr. Suraj Narain Yadav, learned Advocate for the petitioner, learned Advocate for the NHAI as well as the learned Advocate for the State.

2. The petitioner by invoking the jurisdiction of this Court seeking a direction upon the respondents to ensure payment of adequate compensation against acquisition of his land for widening of NH-2.

3. Learned Advocate for the petitioner contended that vide notification dated 27.02.2013, published in the extra ordinary Gazette of India, the national highway intended to



acquire the land for the purposes of widening of road for NH-2. The land of the petitioner has also been acquired with the lands of others, but till date, the payment has not been accorded to the petitioner and, as such, under the compelling circumstances, the petitioner moved before all the authorities, but to no avail.

4. Learned Advocate for the NHAI submits at the bar that the petitioner ought to place his grievance before the Divisional Commissioner-cum-Arbitrator under the NHAI Act, 1956.

5. Considering the nature of the grievance as raised before this Court, the writ petition stands disposed off with a liberty to the petitioner to approach before the learned Divisional Commissioner-cum-Arbitrator as notified under the notification issued by the Government of India, in terms of Section 3G(5) of the National Highway Act, 1956.

6. Suffice it to say that if the petitioner approaches before the concerned Divisional Commissioner-cum-Arbitrator, the same shall be considered and disposed off expeditiously preferably within a period of four months, from the date of receipt/filing of the appropriate case.

7. The writ petition stands disposed off.

(Harish Kumar, J)

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