

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14441 of 2024

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Santosh Mishra, S/o- Late Maheshwar Mishra, Resident of Village and P.O.-
Bangaon, P.S.- Bangaon, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar at Patna.
2. The Commissioner, Koshi Division, at Saharsa.
3. The District Land Acquisition Officer, Saharsa.
4. The Circle Officer, Kahra, District- Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Chandra Mohan Jha, Advocate
For the Respondent/s	:	Mr. Shahid Siddiqui, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-09-2024 Heard Mr. Chandra Mohan Jha, learned Advocate for

the petitioner and Mr. Shahid Siddiqui, learned Advocate for the

State.

2. The grievance of the petitioner of only confined to
the expeditious disposal of Arbitration Case No. 64 of 2022
which is pending before the learned Divisional Commissioner-
cum-Arbitrator, Koshi Division, Saharsa for over a period of
two years and more.

3. Learned Advocate for the petitioner contended that
despite the fact that the matter has been referred before the
Divisional Commissioner-cum-Arbitrator and the same was
pending therein, the NHAI has demolished the construction over



the land in question, but till date the arbitration case has not come to its logical conclusion.

4. Learned Advocate for the State submits that since the matter is pending before the learned Arbitrator who shall take up the matter and dispose off the same in accordance with law.

5. This court is not oblivious of its power while exercising the writ jurisdiction under Article 226 of the Constitution of India in relation to arbitration matter pending before the Arbitrator-cum-Divisional Commissioner and thus no writ of mandamus is being issued but considering the nature of grievance in the ends of justice, it is expected that the respondent no. 2 shall take up the Arbitration Case No. 64 of 2022 and dispose of the same expeditiously, as the matter is pending for the last two years.

6. With this expectation and the observation aforementioned, the writ petition stands disposed off.

(Harish Kumar, J)

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