

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14467 of 2023

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Ram Bhawan Singh Son of Nawal Kishor Singh Resident of Village-Paithani
Natthupur, P.O.-Pakri Anisaabd, P.S.-Beur, District-Patna.

... .. Petitioner/s

Versus

1. Union of India, through the Secretary, Ministry of Road Transport and Highway, New Delhi.
2. The State of Bihar through the Collector and District Magistrate, Patna.
3. The Director Cum Special Secretary, Land Acquisition, Patna.
4. The Comissioner, Patna Division, Patna.
5. The District Land Acquisition Officer, Patna.
6. The Project Director, National Highway Authority, New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Girjanand Prasad, Advocate
For the U.O.I.	:	Mr. Vandana Kishroe, Advocate
For the State	:	Mr. Saurabh Kumar , AC to SC 19
For the NHAI	:	Mr Kumar Gautam , Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-01-2024 Heard learned counsel for the parties.

2. The present writ petition has been filed for enhancement of compensation amount which has been prepared and received by petitioner with objection.

3. Counsel for the petitioner submits that the petitioner is entitled to receive the payment of compensation treating his land as residential whereas his Award has been calculated treating his land as agricultural.

4. Counsel for the National Highways Authority of India submits that since Award has already been prepared and



petitioner has accepted the Award with objection then in that case the liberty is available to the petitioner to file an application under Section 3G(5) of the National Highways Authority of India, 1956 before the Arbitrator-cum-Divisional Commissioner.

5. In this view of the matter, the present writ petition is disposed of directing the petitioner to file a fresh application along with a copy of this order before the Arbitrator-cum-Divisional Commissioner, Patna raising all his points within eight weeks from today .

6. In the event such application is filed within the aforesaid period, the respondent authority shall consider the same in accordance with law and dispose of the same by a reasoned and speaking order after hearing all the parties preferably within a period of eight months from the date of receipt/production of the copy of this order.

(Prabhat Kumar Singh, J)

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