

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18614 of 2024

Shakuntala Devi, W/O Virendra Kumar @ Birendra Kumar, R/O Gopalpur
Math, P.O.- Nadaul, P.S.- Masaurhi, District- Patna.

... .. Petitioner/s

Versus

1. Union of India Through its Secretary, Ministry of Road, Transport and Highways, Central Govt. Transport Bhawan 1, Parliament Street, P.S. and District- New Delhi 110001.
2. The Secretary, Ministry of Road, Transport and Highways, Central Govt. Transport Bhawan 1, Parliament Street, P.S. and District- New Delhi 110001.
3. National Highways Authority of India (NHAI), Through its Chief General Manager, having Official address- G-5 and 6, Sector- 10, Dwarka, P.S. and District- New Delhi- 110075.
4. The Chief General Manager, NHAI, having Official address- G-5 and 6, Sector- 10, Dwarka, P.S. and District- New Delhi- 110075.
5. The General Manager, NHAI, having Official address- G-5 and 6, Sector- 10, Dwarka, P.S. and District- New Delhi- 110075.
6. The Project Director, Patna- Gaya- Dobhi Section, NHAI, having Official address- G-5 and 6, Sector- 10, Dwarka, P.S. and District- New Delhi- 110075.
7. The State of Bihar Through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, New Secretariat, Patna.
8. The Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, New Secretariat, Patna.
9. The District Magistrate-Collector, Patna.
10. The Sub-Divisional Officer, Masaurhi Sub-Division, Patna.
11. The Sub-Registrar, Registry Office, Masaurhi Sub-Division, Patna.
12. The District Land Acquisition Office-cum-Competent Authority, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amit Narayan, Advocate Mr. Ashwani Kumar, Advocate Mr. Ketan Dayal, Advocate
For the U.O.I.	:	Mr. Radhika Raman, Sr. CGC Mr. R.T. Singh, CGC
For the N.H.A.I.	:	Mr. Rishi Raj Sinha, ASG

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-12-2024 The petitioner has filed this writ petition for the



following reliefs:

(i). For issuance of writ in the nature of certiorari or any other writ/s, order/s, direction/s for quashing the part of notification of the Ministry of Road, Transport & Highways, Central Government of India; published in The Gazette of India on July 10, 2020 having details as CG-DL-E-10072020-220468, Extraordinary, Part II-Section 3 Sub-Section (ii) wherein and whereunder the competent authority has declared the acquisition of land for expansion of National Highway No. 83 from 0 KM to 34 Km i.e; Patna-Gaya-Dobhi Section to four lane; wherein it is notified under Village Tineri at Serial 1 having Survey No. 1889; without incorporating names of petitioner as owner of part of land, mentioning wrong nature of land and without identifying/recognizing existing concrete building of petitioner thereto.

(ii). For issuance of an appropriate writ/s, order/s, direction/s directing the concerned respondent to consider the aforesaid land having petitioner as owners, its nature as commercial and also considering the existing construction of building, establishment and the activities made on the land of the petitioner, so that no controversy of fact lie at the successive stage. It is relevant to state that petitioner is owner of 8 decimal of land in the aforesaid plot.

(iii). For issuance of a writ in the nature of certiorari or any other writ/s order/s, direction/s for quashing the aforesaid part of notification as same has been done without service of notice to the petitioner and without consideration of the fact that period to raise objection and claim lies within the period of pandemic Covid-19.

(iv). For issuance of an appropriate writ/s, order/s, direction/s directing the concerned respondent to entertain the written objection of petitioner made to the competent authority and to



pass necessary order thereto.

(v). For any other relief or reliefs for which the petitioners may be found entitled on the facts and circumstances of this case.

2. Learned counsel for the petitioner submits that this writ petition may be disposed of with liberty to the petitioner to file detailed representation for redressal of her grievances before the concerned authority.

3. Learned counsel for the NHAI as well as learned counsel for the State have no objection to this prayer of the petitioner.

4. In view of the submission of learned counsel for the petitioner, this writ petition is disposed of with liberty to the petitioner, as prayed for.

5. On filing of the said representation within two weeks from today, the concerned authority shall pass an appropriate order and dispose of the said representation in accordance with law, expeditiously, preferably within six months from the date of filing of the said representation.

(Sunil Dutta Mishra, J)

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