

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.548 of 2019

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Ramanand Prasad Son of Late Dasarath Prasad, Resident of Village- Senuari
Dakhingaon, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors.
2. The Collector, Gaya, District- Gaya.
3. The Arbitrator-cum-Additional Collector, Gaya.
4. The Competent Authority under N.H. 82 cum District Land Acquisition Officer, Gaya.
5. National Highway Authority of Gaya for National Highway 82, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Sajid Salim Khan- SC-25

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 22-04-2024 No one appears on behalf of the petitioner though
learned counsel for the State is present.

*2. This is an application on behalf of the petitioner
for issuance of a writ, order or direction including a writ in the
nature of Mandamus, commanding the respondents to pay
compensation @ commercial, land, against my acquired land
appertaining to plot no. 162 area 0.116 decimal and 163 area
0.1525 decimal situated at Village: Dakhingaon, Wazirganj,
Gaya and also for issuance of a writ in the nature of certiorari
for quashing Annexure: or be pleased to pass such other order/s
as Your Lordships may deem fit and proper.*



3. Learned counsel for the State submits that if he is aggrieved by the award, has to move before the Arbitrator under Section 3G(5) of the National Highways Act, 1956.

4. Section 3G(5) of the National Highways Act, 1956 read as follows:-

3-G. Determination of amount payable as compensation. - (5) If the amount determined by the competent authority under sub- section (1) or sub-section (2) is not acceptable to either of the parties, the amount shall, on an application by either of the parties, be determined by the arbitrator to be appointed by the Central Government.

5. This Court is satisfied with the submissions put for by the learned counsel for the State.

6. However, since no one has appeared, this writ petition stands dismissed for non-prosecution.

(Rajiv Roy, J)

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