

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22121 of 2018

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Jitendra Pratap Singh son of Late Kumar Vikramendra Pratap Singh, resident of Kumar Niwas, Mahabir Asthan, Manpur, Post: Buniyadganj, Police station: Mufassil, District: Gaya.

... .. Petitioner/s

Versus

The Union Of India through Secretary, Road Transport & Highways, Govt. of India, New Delhi.

2. The Joint Secretary, Land Acquisition Highways, Govt. of India, New Delhi.

3. The Deputy General Manager, National Highways 82, Gaya

4 The Secretary, Revenue & Land Reforms, Bihar

5. The Director, Land Acquisition, Bihar

6. The District Magistrate, Gaye

7. The Additional Collector cum Arbitrator (Under National Highway Act 1956), Gaya

8. The Land Acquisition Officer cum Competent Authority (Under National Highway Act 1950), Gaya.

9. Birju Singh son of Alakhdeo Singh, resident of village: Aroo, Police station: Wazirganj, District Gay Respondents.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kumar Dhirendra Pratap Singh
For the Respondent/s : Mr.Raj Kishore Roy- Gp18

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-10-2025 Heard the parties.

2. The present petition has been preferred for the following relief/s:

(i) for issuance of writ in the nature of certiorari or any other appropriate writ



setting aside order dated 4.8.2018 passed by learned Arbitrator cum Additional Collector, Gaya in RA 17/2016-17 communicated to petitioner vide Memo No. 111 dated 4.8.2018 together with the Compensation determination notice dated 28/9/2016 in LA Case no. 30/2015-16 by which and where under the learned Arbitrator cum Additional Collector, Gaya has confirmed that the compensation amount determined by the Competent authority against acquisition of petitioner's land bearing plot no. 2958, Area 0.0824 at village: Aroo for broadening NH-82 saying the determination of Compensation amount is right and there is no need to change/amend the compensation amount

(ii) for issuance of writ in the nature of Mandamus or any other appropriate writ directing the respondents to determine and pay the fair compensation to the petitioner at the rate prescribed for commercial land in



view of the fact that the lands of petitioner acquired for broadening the NH-82 has been recorded in the government records as Commercial land since 2006-2007 and the petitioner is running Rice Mill over the same;

(iii) for issuance of writ in the nature of Mandamus or any other appropriate writ directing the respondents to notify the lands of petitioner separately to determine and pay the fair compensation amount at the rate prescribed for acquisition of commercial land along with interest thereon assessing fair compensation in consideration as provided under section 3-G sub section 7 (a), (b), (c), (d) of the National Highways Act 1956 against the petitioner's land acquired by them for broadening NH-82;

(iv) for Issuance of writ in the nature of Mandamus or any other appropriate writ directing the respondents to make payment of fair compensation against the damages



sustained by petitioner due to acquisition of his land due to which the set up his factory (Rice Mill) has been disturbed and interest on the due compensation thereof;

(v) for issuance of any other appropriate writ/order/direction that your lordships deems fit and proper in the interest of the petitioner in the facts and circumstances of this case.

3. Learned counsel for the petitioner submits that he wants to withdraw the petition in view of the fact that a petition has been filed before the Divisional Commissioner, Magadh Division in Case No. 144 of 2020.

4. Granting said liberty the writ petition is disposed of.

5. It goes without saying that the concerned authority shall take up the matter to its logical conclusion at the earliest.

(Rajiv Roy, J)

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