

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7887 of 2017**

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Vishal Vilochan @ Vishal Singh Parmar Son of Sri Awadhesh Prasad Singh,  
Resident of Village-Kamdeo Bigha, P.O.-Jehanabad, P.S.-Jehanabad, Town  
and District-Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Collector, Jehanabad,
3. The Competent Authority Cum District Land Acquisition Officer,  
Jehanabad.
4. Arbitrator-cum-Additional Collector, Jehanabad,
5. The Project Director, National Highway Authority of India, Project  
Implementation Unit, Gaya, Hous

... .. Respondent/s

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**Appearance :**

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|----------------------|---|-----------------------------------------|
| For the Petitioner/s | : | Mr. Anju Kumari @ Anju Narain, Advocate |
| For the Respondent/s | : | Mr. Dhurjati Kumar Prasad, GP-14        |
| For the NHAI         | : | Mr. Dr. Maurya Vijay Chandra, Advocate  |
|                      |   | Mr. Gaurav Govinda, Advocate            |
|                      |   | Mr. Preety Ranjan, Advocate             |

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      16-04-2025                      Heard the parties.

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

*(i) Issuance of an appropriate writ  
including a writ in the nature of writ of mandamus  
commanding the respondents to forthwith duly  
compute and pay the amount of compensation to the  
petitioner on account of acquisition of his land of  
Thana no. 382 Khata no. 78 (Old)/159 (New),  
Khesra (survey plot) no. 3 (Old) // 1079 (New) 1058*



*(New) 1091 (New) measuring 1.17½ Acres situated in the North Raza Bazar Patel Nagar area of Daulatpur Mohalla of Jehanabad Town which had been acquired for construction and widening of road of NH 83 (Patna - Gaya - Dobhi section).*

*(ii) Issuance of an appropriate writ including a writ in the nature of writ of certiorari quashing the part of notice dated 06.05.2014 (pertaining to petitioner's portion of the land measuring 1.17½ Acres) issued by respondent Collector, Jehanabad, (contained in Annexure 6) in case no. 23/2009 by which it was intimated that in respect of the "total area of 287.8715 decimals (Agricultural) of plot no. 3" a consolidated sum of Rs. 24,03,197.45, would be payable on completion of formalities, which is not only grossly undervalued but wrongly described as "agricultural" whereas (i) they are commercial and residential, and further (ii) when the government rate itself for the said lands for commercial is Rs. 5.80 lac per decimal and for residential it is Rs. 4.90 lac per decimal meaning thereby that the total amount of compensation would be not less than Rs. 23 crore even according to the*



*government rate and yet the respondents had shown a paltry consolidated sum of Rs. 24.03 lac for consolidated area of 287.8715 decimals which includes the petitioner's aforementioned land of 117 ½ decimals and such amount which is almost 1/200th of the actual compensation.*

*(iii) Issuance of an appropriate writ including a writ in the nature of writ of certiorari quashing the order of the respondent Arbitrator cum Additional Collector, Jehanabad, passed in Arbitration case no. 265 / 16 dated 29.09.2016 (contained in Annexure 9) by which the matter taken to him against the aforesaid illegal order was arbitrarily and illegally decided against the records and materials brought before him and / or against the order passed by him in similar matter / earlier matter/proceeding.*

*(iv) Issuance of an appropriate writ including a writ in the nature of writ of mandamus commanding the respondents to consider that in the present matter now the provisions of the new Land Acquisition Act, i.e. "The Right to Fair Compensation and Transparency in Land*



*Acquisition, Rehabilitation and Resettlement Act, 2013" would be applicable according to which if the computation is done the compensation amount would be much higher than the aforementioned amount of Rs. 23 crore over and above which the interest etc. would also be payable.*

*(v) Issuance of any other appropriate writ(s), order(s), direction(s) as may be deemed fit and proper in the facts and circumstance of the case."*

3. At the outset, the respondents have objected that the petitioner has alternative remedy available under Sub-Section 2 of the Section 34 of the Arbitration and Conciliation Act, 1996.

4. Learned counsel for the petitioner submits that he shall be filing an appropriate petition under the Arbitration and Conciliation Act.

5. Granting said liberty, the writ petition stands disposed of.

**(Rajiv Roy, J)**

Adnan/-

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