

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8739 of 2017

Janeshwar Prasad Singh son of Late Shyam Narayan Singh, Resident of
Village- Karanpura, P.O.P.S.- Durgawati, District- Kaimur a Bhabua.

... .. Petitioner/s

Versus

1. The National Highways Authority Through Its Director and Ors
2. The Project Director, National Highways Authority Varansi U.P.
3. The State of Bihar through its Principal Secretary, Revenue Department,
Govt. of Bihar, Patna.
4. The Arbitrary cum Additional Collector, District- Kaimur Bhabua.
5. The Competent Authority cum District Land Acquisition Officer, Kaimur,
District- Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh
For the Respondent/s : Mr. Manoj Kumar Sinha-A.C to S.C.19

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-04-2025 Heard learned counsel for the petitioner, State as also
the NHAI.

2. The present application has been filed:

*quashing the order dated
07.06.2016 passed by the Additional
Collector Cum Arbitrator, Kaimur (Bhabua)
in Misc. Case no. 96/2014-15 by which he
has dismissed the petition of the petitioner
by which he has prayed to treat land the of
the petitioner as commercial by issuance of
writ in the nature of cetiorary as well as for
issuance of writ in the nature of mandamus
or any other writ or writs or direction or*



directions to the respondents to treat the land in question of the petitioner as commercial and accordingly to pay the compensation reasonable compound interest. along with reasonable compound interest.

3. At the outset, learned counsel for the State as also the NHAI submits that against the order passed by the respondent, the petitioner should have moved before the Competent Civil Court under Section 34 of the 1996 Act of the Arbitration and Conciliation Act, 1996.

4. Learned counsel for the petitioner submits that he shall be approaching the Competent Civil Court within a period of eight weeks from today.

5. If the petitioner approaches the Competent Civil Court within the aforesaid period, the Court concerned has to look into account the fact that a writ petition was pending since the year 2017 while considering the delay in filing the said petition.

6. The writ petition stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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