

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13173 of 2017

-
1. Md. Faiyaz
 2. Taslim Ahmad @ Md. Taslim Ahmad
 3. Md. Imran Ahmad @ Imran Ahmad
 4. Md. Shahnawaj Alam @ Md. Shahnabad Alam All are Sons of Late Reyazuddin @ Riyazuddin Ansari All are Resident of Village-Darji Bigha-Madanpur, P.S.-Madanpur, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. National Highway Authority of India through the Director General, Ministry of Transport, Govt. of I
3. The Project Director, National Highway-2, Govt. of India, Dhanbad Zone Jharkhand.
4. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
5. The Arbitrator Cum Additional Collector, Aurangabad.
6. The Competent Authority Cum Land Reforms Dy. Collector, Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Bhaskar Shankar, Adv.
For the Respondent/s	:	Dr. Maurya Vijay Chandra, Adv. Mr Gaurav Govinda, Adv. Ms. Anjali Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-04-2025 Heard the parties.

2. The writ petition has been filed for:-

*“for issuance of an appropriate writ for
setting aside the order dated 31.3.2017 passed by
the respondent Arbitrator cum Addl. Collector,
Aurangabad in L.A. Case No. 122/16-17 as
contained in Annexure-3 by which he has refused*



the application filed by the petitioners, wherein it was claimed that their land acquired under National Highways Act 1956 for expansion of NH-2 into six lanes, situated at Village-Madanpur, P.S.-Madanpur, District-Aurangabad, is commercial land but the respondent Competent Authority cum Land Reforms Dy. Collector, Aurangabad had wrongly determined the amount payable as compensation thereof treating the land to be agricultural.

And further direction to the respondents concerned for treating the acquired land of the petitioners to be commercial and accordingly after determining the amount payable as compensation, it may be paid to them at the rate of commercial land.

3. Learned counsel, after some arguments, submits that he shall be approaching the competent Civil Court for redressal of his grievance under Section 34 of the Arbitration and Conciliation Act, 1996.

4. If such petition is preferred in next four weeks, the Court concerned shall take into account the fact that the writ



petition was pending for eight years before Patna High Court while taking up the limitation petition of the petitioner.

5. The writ petition stands disposed of.

(Rajiv Roy, J)

perwez/-

U			
---	--	--	--

