

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11431 of 2017**

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Jai Prakash Singh Son of Late Bindeshwari Singh, Resident of Village-  
Kulhariya, P.S. Koilwar, District- Bhojpur Ara.

... .. Petitioner/s

Versus

1. The Natioanl Highway Authority Ministry Of Road Transport And National Highway and Ors
2. The State of Bihar, through the Chief Secretary, Govt. of Bihar.
3. The Commissioner, Patna.
4. The Collector, Bhojpur at Ara.
5. The Addl. Collector, Bhojpur at Ara.
6. The Land Reform District Collector, Bhojpur at Ara.
7. The District Land Acquisition Officer, Bhojpur at Ara.
9. The Sub- Divisional Magistrate cum Addl. Land Acquisition Bhojpur at Ara.
10. The Circle Officer, Koilwar Circle, Koilwar, District- Bhojpur.
11. The Circle Inspector, Koilwar Circle, Koilwar, District- Bhojpur.
12. The Halka Karmchari, Koilwar Circle, Koilwar, District- Bhojpur.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Kamlesh Kumar, Advocate |
| For the NHAI         | : | Mr. Kumar Gautam, Advocate  |
| For the Respondent/s | : | Mr. Sajid Salim Khan- Sc25  |

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

2      28-04-2025                      Heard the parties.

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

*“i. For the quashing of entire land  
acquisition proceeding by which land is being  
acquired for the wideness (Four lane) of National  
Highway 30 and NH-84 from Patna to Buxar in*



*non compliance of the provision as laid down u/s. 3-C after publication of notification under section 3-A of the National Highway Act 1956.*

*ii. Further quashing of the entire proceeding in non compliance of the provision as laid down u/s. 3-G of the National Highway Act 1956.*

*iii. For quashing of the entire proceeding also on the ground of, arbiterness in exercising the power by the State Government authorities as power referred and specified u/s. 5 & 6 of national Highway Act 1956.*

*iv. To declare the quantum of award is invalid and illegal, determined without being heard the claim of the petitioner as provision laid down in Sub-clause-3 of the section 3-G of the National Highway Act 1956.*

*v. That after quashing of the entire proceeding, a direction be given to the respondents, to initiate a fresh proceeding for the land in question and to determine the award accordance with law or a direction be given to the*



*respondents to calculate and determine the award of land in question at the rate of the market value as land of the Petitioner comes within the categorically commercial, industrial or residential land, after hearing the claim of the petitioner.*

*vi. Any other relief/ reliefs be granted to the petitioner as so he is entitled in eye of law.”*

3. Learned Counsel for the NHAI has provided the copy of the order dated 16.03.2021 issued in N.H. Arbitration Case No. 47 of 2019 (Jaiprakash Singh vs. NHAI & Ors.) to show that the Arbitrator has already decided the matter against him and as such, if he so wants, can file appropriate petition before competent Civil Court.

4. Learned counsel for the petitioner submits that no such petition was filed relating to the land in question by the petitioner as per the information.

5. An order is here, the detail of the petitioner, Jai Prakash Singh son of Bindeshwari Singh, resident of village Kulhariya as also the land in question (Khata no. 410, Plot no. 453, Area 0.175512 Acres matches with the order in question dated 16.03.2021 and in that background, the statement of the petitioner is wrong/incorrect/false.



6. If he so wants, can approach appropriate Court for the redressal of the grievance.

7. No relief can be extended to the petitioner by this Court particularly when even the said order has not been brought on record though the contention of the petitioner is that he never filed such petition.

8. The present writ petition stands dismissed.

**(Rajiv Roy, J)**

Adnan/-

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