

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18701 of 2017

=====

Umesh Kumar Singh Son of Late Chandra Mani Singh resident of Village -
Kulhariya, P.S.- Koilwar, District - Bhojpur Ara.

... .. Petitioner/s

Versus

1. The National Highway Authority 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 Reforms District Collector, Bhojpur at Ara.
7. The District Land Acquisition Officer, Bhojpur at Ara.
8. The Sub-Divisional Magistrate Cum Addl. Land Acquisition Bhojpur at Ara.
9. The Circle Officer, Koilwar Circle, Koilwar, District Bhojpur.
10. The Circle Inspector, Koilwar Circle, Koilwar, District Bhojpur.
11. The Halka Karamchari, Koilwar Circle, Koilwar, District Bhojpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Kamlesh Kumar, Adv,
For the Respondent/s	:	Mr. Rishi Raj Sinha -Sc19
For NHAI	:	Mr. Kumar Goutam, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-06-2025 Heard Mr. Kamlesh Kumar, learned counsel for the

petitioner and the State.

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

*(i) For quashing the 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 petitioner has taken this Court to an order of Jaikishun Singh Vs. NHAI (CWJC No. 18021 of 2017) disposed of on 17.06.2025 and submits that he is also ready to approach the Competent Civil Court.

4. The said order in Jaikishun singh (supra), in paragraph 3 to 6 record as follows:

3. Learned counsel for the petitioner has taken this Court to an order of Jaikishun Singh Vs. NHAI (CWJC No. 18021 of 2017) disposed of on 17.06.2025 and submits that he is also ready to approach the Competent Civil Court.

4. The said order in Jaikishun singh (supra), in paragraph 3 to 6 record as follows:

3. At the outset, learned counsel for the petitioner submits that he shall be satisfied if the competent authority/Court takes notice of the grievance and pass an appropriate order.

4. She has taken this Court to an order of Arun Kumar Singh Vs. NHAI (CWJC No. 11405 of 2017) in support of her case.

5. Learned State Counsel has no



objection to the petitioner approaching the appropriate authority/Court.

6. In that background and taking note of the orders as mentioned by the learned counsel for the petitioner, granting said liberty, the writ petition stands disposed of.

5. In that background, the same order is extended in favour of the petitioner.

6. Learned counsel for the petitioner submits that he shall be satisfied if the competent authority/Court takes notice of the grievance and pass an appropriate order.

7. Learned State Counsel has no objection to the petitioner approaching the appropriate authority/Court.

8. In that background and taking note of the orders as mentioned by the learned counsel for the petitioner, granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

U			
---	--	--	--

