

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18062 of 2017

-
1. Ayodhya Prasad and Anr Son of Late Rameshwar Singh.
 2. Upendra Kumar, S/o Ayodhya Prasad, Both resident of Village- Baijnath Bigha Nauru, Police Station- Parasbigha, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary Revenue Department, Govt. of Bihar, Patna.
3. The District Magistrate cum Collector Jehanabad.
4. The Additional Collector-cum-Arbitrator, Jehanabad, District- Jehanabad.
5. The Competent Authority-cum-District Land Acquisition Officer, District- Jehanabad.
6. The Circle Officer, Jehanabad, District- Jehanabad.
7. National Highway Authority of India, Ministry of Road Transport and Highways, Government of India,
8. Thr Project Director, NH-83, Gaya Unit Bihar, National Highway Authority of India Project Impleme

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.
For the Respondent/s : Mr. Sajid Salim Khan - Sc-25

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-06-2025 Heard Mr. Ajay Kumar Singh, learned counsel for

the petitioners and the State.

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

*(i) For quashing the order dated
12.09.2016 passed by respondent Additional
Collector- Cum Arbitrator, Jehanabad in
Arbitration case No. 215/ 2015-16, whereby
he has wrongly and illegally declined the*



claim of petitioners to pay compensation at commercial rate in lieu of their lands acquired by the state government for the project for widening Proposed "Bypass NH-83".

(ii) For further to hold that classification of land done by respondents for the land in question of the petitioners which have been acquired is wrong and illegal because nature of land which was earlier agricultural has substantially changed into commercial one entitling them to get compensation at the commercial rate because land is situated at a place where colleges and boarding school as well as houses and different shops are situated.

(iii) For further direction upon the respondent authorities to prepare the Award for the acquired land of the petitioners afresh, in terms of provisions contained in Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 treating the land as of Commercial nature.

(iv) For any other relief or reliefs for which the petitioners are found entitled in the facts and circumstances of the case.

3. After some argument, learned counsel for the petitioner submits that he shall be approaching the Competent



Civil Court against the order passed by the Arbitrator, Jehanabad
in Arbitration Case No. 215 of 2015-26.

4. Granting said liberty and further observing that if
such petition is preferred in next four weeks, the Court
concerned shall take into account that the petitioner's case was
pending before this Court since the year 2017 while deciding the
limitation petition, the writ petition is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

U			
---	--	--	--

