

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18126 of 2016

=====

Vidyanand Sao Son of Late Paltu Sao residing at village - Nouruo, P.S.
Parasbigha, District - Jehanabad

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Land Acquisition, Government of Bihar, Patna
3. The District Magistrate, Jehanabad
4. The District Land Acquisition officer, Jehanabad
5. The Additional Collector - Cum - Arbitrator, Jehanabad
6. The Project Director, National Highway Authority of India Project
implementation Unit, Gaya , Hou

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Abhay Kumar, Advocate
For the Respondent/s	:	Ms. Surekha Kumari, AC to GP-18
For NHAI	:	Dr. Maurya Vijay Chandra, Advocate
		Mr. Gaurav Govinda, Advocate
		Mr. Prem Ranjan, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-08-2025 Heard the parties.

2. The present petition has been preferred for the
following relief/s:

*(i) for issuance of a writ in the nature of
certiorari to quash the order dated
12.09.2016 passed by Respondent No. 5 in
Arbitration Case No. 184/2015-16 contained
in Annexure-II whereby the claim of
petitioner under section 3G(5) of the
National Highways Act, 1956 has been*



rejected and for issuance of appropriate order or direction for directing the respondents to pay compensation for the land described in paragraph 3 of this application according to the present commercial market rate over which 4/6 lane NH-83 is being constructed by Respondent No. 6 and for issuance of a writ/order/direction for which the petitioner may be found legally entitled to under the facts and circumstances of this application.

3. At the outset, learned State Counsel submits that once the Arbitrator has passed the order, remedy lies before a competent Civil Court under section 34 of the Arbitration and Conciliation Act, 1996.

4. A counter affidavit has been filed on behalf of respondent nos. 3 to 5 according to which the petitioner has alternate remedy.

5. This shall also be recorded in the counter affidavit filed on behalf of respondent no.6.

6. In that background, the writ petition is disposed of allowing the petitioner to approach the competent Civil Court



and if such petition is filed in next eight weeks, the Court concerned shall consider the limitation petition taking into account that the writ petition was pending before this Court for nine long years.

(Rajiv Roy, J)

Ravi/-

U			
---	--	--	--

