

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14756 of 2016

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Jag Narayan Singh son of Late Jaddu Singh resident of Village- Barej, P.O.-
Kauriram, Anchal and P.S.- Mohania, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The Union Of India and Ors null null
2. The Department of Road Transport and Highway, Union of India, New Delhi through its Secretary.
3. The Chairman, Indian National Highway Authority, New DELhi.
4. The National Highway Authority of India, Project Workshop Unit, Varanasi through its Project Direct
5. The Secretary, Department of Land Acquisition, Govt. of Bihar, Patna.
6. The Commissioner, Patna Division, Patna.
7. The Collector, Kaimur at Bhabua.
8. The Competent Officer-cum-District Land Acquisition Officer, Kaimur at Bhabua.
9. The Land Acquisition Advisory Committee, Kaimur at Bhabua.
10. The Circle Officer, Mohania, Kaimur at Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Ishwar Prasad
For the Respondent/s : Mr.Raj Kishore Roy-Gp18

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-07-2025 Heard the parties.

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

*(i) For setting aside the order
dated 21.03.2015 passed by the Court of
Additional Collector-cum-Arbitrator,
Kaimur at Bhabua in Misc. Case No.-
309/2014-15 [Jag Narayan Singh Singh VS.
The Indian National Highway Authority &*



Ors.] whereby and where under the rates fixed by the District Land Acquisition Officer, Kaimur at Bhabua vide his order dated 30.04.2012 in connection with the land of the petitioner pertaining to Khata No.-202, Plot No.- 713, Rakba- 63 sq.mt. at Mauza - Barej, Revenue Thana No. 538, Anchal & Block - Mohania has been affirmed and allowed without following the facts and circumstances of the case.

(ii) For setting aside the order dated 30.04.2012 passed in Land Acquisition Case No. 35/2012-15 by the respondent no. 8, i.e., the Competent Officer-cum-District Land Acquisition Officer, Kaimur whereby the rates of the land of the petitioner in question has been fixed at lowest rate without considering the commercial rates, the existing marketing rates and other material evidences available on record.

(iii) To declare and hold that the order dated 30.04.2012 passed by the Competent Officer-cum-District Land Acquisition Officer, Kaimur is unjust, improper, malafide and incorrect and is not based on proper verification and assessment of land in question in the facts and circumstances of the case.

(iv) To hold and declare that the petitioner is a bonafide and genuine land



owner of the land in question belonging to the category of commercial class but the compensated amount for the land has been fixed at very low rate and it is not based on proper verification / assessment of land in question and further not in accordance as prescribed under provisions of Act/law.

(v) For grant of any other relief or reliefs, if the petitioners are found entitled to.

3. At the outset, learned counsel for the petitioner submits that he shall be approaching the Competent Civil Court under Section 34 of the Arbitration and Conciliation Act, 1996.

4. Granting said liberty, the writ petition is disposed of.

5. If any petition is filed in four weeks, the authority shall take into account the fact that the matter was pending before this Court for ten long years while taking up the limitation petition and shall take the matter to its logical conclusion at an earliest.

(Rajiv Roy, J)

Vijay Singh/-

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