

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18928 of 2016

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1. Suresh Prasad Singh and Anr Son of Late Arjun Singh, resident of village - Shiv Nagar, P.O. Madhopur, P.S. Tekari, District - Gaya
 2. Smt. Malti Devi Wife of Lalan Prasad Singh, resident of Mohalla - Magadh Colony, Road No. 6, Chandauti, P.S. Magadh Medical College, District - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector, Gaya District, Collectorate Compound, Gaya
3. The District Land Acquisition officer, Gaya
4. The Union of India through the Secretary, Ministry of National Highway and Transportation, New Delh
5. The National Highway Authority of India through its Secretary
6. The Competent Authority Cum Arbitrator, through the Collector, Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Thakur, Advocate
For the State	:	Mr. Sarvesh Kumar Singh, AAG13
For the N.H.A.I.	:	Mr. Kumar Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-08-2025 Heard the parties.

2. The present petition has been preferred for following reliefs:

“I. To pay the amount of award and compensation to the petitioners for the land acquired by the Govt. For construction of National Highway No.83 at the rate and value as prescribed for commercial land.

II. For payment of interest on the amount of award till the date of



together with cost the loss of income and compensation actual payment and amount for from the land

III. For any other reliefs for which the petitioner found entitled to in the facts and circumstances of the case with cost and interest.”

3. The matter relates to construction of National Highway-83 and petitioners claim to be owner of the one of the plot under Bodhgaya Police Station which they purchased and fixed iron gate/boundary wall, but are aggrieved by the fact that treating it to be an agricultural land, the notices were issued on 20.10.2024 by the competent officer-cum-District Land Acquisition Officer to accept Rs.2,98,025/- (Rupees Two Lakh Ninety Eight Thousand Twenty Five). The submission is that even as per the MVR of the area, their case should have been put under commercial category.

4. Learned counsel for the State submits that the petitioners should have been taken the amount under protest and could have moved before the competent Civil Court under Section 34 of the Arbitration and Conciliation Act, 1996.

5. In that background, learned counsel for the petitioners submits that they shall be doing the needful and also filing an appropriate petition before the competent Civil Court,



but already decade has crossed and it may inordinately delay the process.

6. If the petitioners prefer a petition before the competent Civil Court in eight weeks, the Court concerned shall see to it that matter relates to compensation, already more than a decade has crossed, in that background, it shall expedite and after noticing the parties should take the matter to its logical conclusion within the prescribed period under the Arbitration and Conciliation Act, 1996.

7. If the petition is preferred within eight weeks from today, the competent Civil Court shall also take into account that the petitioners were agitating the matter before Patna High Court while dealing with the limitation petition.

8. With the aforesaid observation, this writ petition is disposed of.

(Rajiv Roy, J)

anand/-

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