

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22123 of 2018

Srikrishnajee Rai

... .. Petitioner/s

Versus

The Union Of India and Ors

... .. Respondent/s

Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mrs Nutan Sahay, AC to AAG-12
For NHAI	:	Mr. Kumar Goutam, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-11-2025 No one appears on behalf of the petitioner though the learned counsel for the State as also the NHAI is/are present.

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

(i) directing the respondent authorities to pay the award of compensation for the plot no. 4761 area about 0.12 Hectare of land of Mauza Dhakaichak, Dist. Buxar after considering the valuation of the land as commercial since he was running a Line Hotel over the land (ike. plot no. 4761) in question;

(ii) directing the respondent authorities, also to consider the claim of the petitioner since the National Highways Authority of India (herein after referred as the 'NHAI') has accepted to pay the revised compensation as per Right to Fair Compensation and Transparency in Land



Acquisition, Rehabilitation and Resettlement Act 2013 (herein after referred as the RFCTLARR Act) for this village along with the other villages appertaining to National Highways no. 82 which has been acquired by the Union Of India NHAI for the construction of the four lane National Highways;

(iii) any other relief or reliefs for which the petitioner may entitle too.

3. The counter affidavit of the respondent shows that the petitioner has taken the compensation amount which has been put under the agricultural category but now wants the category to be changed from agricultural to commercial.

4. Learned counsel representing the NHAI submits that in that case, the petitioner should have moved before the Arbitrator-cum-Commissioner, Patna Division, Patna.

5. Though the submissions of the respondents seem to be justified, since there is no appearance, dismissed for non-prosecution granting the petitioner to approach appropriate authority as submitted by learned counsel for the respondents.

(Rajiv Roy, J)

Vijay Singh/-

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