

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3514 of 2016

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1. Rakesh Kumar and Anr Son of Late Brahmdeo Singh
 2. Ram Deo Singh Son of Late Ghuran Mahto Both residents of Village - Madhopur Raushan Urf Bheesa, P.S. - Dumra, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The Union Of India and Ors
2. The National Highway Authority of India, New Delhi through its Chairman, National Highway Authority
3. The Projector Director, National Highway Authority of India, Muzaffarpur Bihar.
4. The State of Bihar through the Collector, Sitamarhi.
5. The Collector, Sitamarhi.
6. The Dy. Collector-cum-Arbitrator, Sitamarhi, District - Sitamarhi.
7. The District Land Acquisition Officer, Sitamarhi.
8. The Treasury Officer, Sitamarhi, District - Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Adv.
For the Respondent/s	:	Mr. Sunil Kumar Mandal, SC.3
For NHAI	:	Dr. Maurya Vijay Chandra, Adv.
		Mr. Gaurav Govinda, Adv.
		Ms. Preety Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-07-2025 Heard Mr. Mahendra Thakur, learned counsel for the petitioner, the State as also Mr. Maurya Vijay Chandra representing the National Highway Authority of India.

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

(i) For issuance of a writ in the nature of certiorari for quashing the order dated 27.08.2015 passed by the Dy.



*Collector-Cum-Arbitrator, Sitamarhi
(Respondent No.6) in Arbitration
(Miscellaneous) Case No.01/2015-16 by
which the Respondent No.6 has dismissed
the claim of the petitioner without
considering the case of the petitioner.*

*(ii) For issuance of a writ in the
nature of mandamus directing and
commanding to the respondent authority to
pay the compensation to the petitioners
against their acquired land of 238 hectares
for construction of 4 lane of N.H.-77 at the
rate of 10,535.12 per Heq.*

*(iii). And for any other
appropriate writ/writs, order/orders,
direction /directions as this Hon'ble Court
thinks fit and proper in the facts and
circumstances of the case.*

3. Learned counsel for the NHAI submits that now that the Arbitrator has rejected the claim of the petitioner, the recourse is left before a Competent Civil Court under Section 34 of the Arbitration and Reconciliation Act, 1996 (henceforth for short, (the 1996 Act').

4. In that background, learned counsel for the petitioners submit that they shall be approaching the Competent Court but there has been delay in filing the petition.

5. If the petition is preferred within four weeks from



today, the Competent Court shall take into account that the matter was pending before this Court for last one decade while dealing with the limitation petition.

6. With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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