

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19444 of 2016

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Sudhir Kumar Jha Son of Late Indradeo Jha, Resident of Village P.O.-
Shyampur, P.S.- Shyampur Bhatha, District- Sheohar.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. District Collector, Sheohar.
3. District Land Acquisition Officer, Sheohar.
4. The Union of India through the Secretary, Ministry of Road, Transport and Highway, New Delhi.
5. Director, National Highway Authority of India, New Delhi.
6. Divisional Commissioner, Tirkut Division, Muzzafarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Uma Kant Tiwary, Adv. Ms. Swati Mishra, Adv.
For the Respondent/s	:	Mrs. Nutan Sahay- AAG12
For NHAI	:	Ms. Preety Ranjan, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-08-2025 Ms. Swati Mishra, learned counsel for the petitioner prays for and is allowed to implead the Divisional Commissioner, Tirhut Division, Muzaffapur cum Arbitrator as respondent no. 6 in course of the day.

2. Heard Ms. Swati Mishra, learned counsel for the petitioner, Mrs. Nutan Sahay, AAG-12 and Ms. Preety Ranjan for NHAI.

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

*(i) an appropriate writ, order or
direction quashing the notice of Award of*



compensation dated 06.10.2016 (Annexure '4'), be issued;

(ii) an appropriate writ, order or direction commanding the respondents especially the respondents 3 and 4 to consider the petitioner's objection (Annexure '8') in the light of the materials available and prepare a fresh Award of compensation, within a time frame, be issued;

(iii) further, prays for issuance of any other appropriate writ/writs, order/orders, direction/ directions and/or relief/reliefs which the Petitioner is entitled to in the facts and circumstances of the case.

4. The petitioner claims to own the land as follows:

Khata No.- 159;

Mauja- Shyampur;

Revenue Thana No. 191;

Area- 37 decimal near Shyampur

Chowk, Sheohar.

5. The two-fold prayer is that the award was prepared in the name of the ancestors and despite the rent receipts in his favour, the compensation amount not paid and secondly, it has been categorized as agricultural land.

6. The counter affidavit of the respondent nos. 2 and 3 has come duly signed by the District Land Acquisition Officer, Sheohar and served upon the petitioner on 19.06.2019 according



to which, on the point of valuation by the Central Government under Section 3(G)(5) of the National Highway Act, 1956, an Arbitrator has been appointed.

7. In that background and since the petitioner's claim is limited to grant of award and to take into account its category after proper inspection, the writ petition is disposed of allowing the petitioner to approach the Arbitrator-cum-Divisional Commissioner, Tirhut Division, Muzaffapur appointed (as recorded in the counter affidavit) in next four weeks.

8. If such petition is filed, after hearing all the parties, the matter be taken up to its logical conclusion preferably by 31.03.2026.

(Rajiv Roy, J)

Vijay Singh/-

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