

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5721 of 2024

1. Bhishm Kumar Rai S/o Late Aniruddh Rai Resident of Village- Goharua, Block and P.S- Guthani, District- Siwan.
2. Rakesh Kumar Rai S/o Late Anirudhh Rai Resident of Village- Goharua, Block and P.S- Guthani, District- Siwan.
3. Prabhunath Ray S/o Late Tega Ray Resident of Village- Goharua, Block and P.S- Guthani, District- Siwan.
4. Sanjay Rai S/o Late Jagat Rai Resident of Village- Goharua, Block and P.S- Guthani, District- Siwan.
5. Bachhi Devi W/o Late Yogendra Ray Resident of Village- Goharua, Block and P.S- Guthani, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The District Magistrate cum Collector, Siwan.
4. The District Land Acquisition Officer, Siwan.
5. The Commissioner, Saran.
6. The Land Acquisition Tribunal, Saran.
7. The Chairman, National Highway Authority of India, New Delhi.
8. The Secretary, National Highway Authority of India, New Delhi.
9. The Project Engineer, Ramjanki Highway Project, NH-227(A), National Highway Authority of India, at Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate Mr. Niraj Kumar, Advocate
For the Respondent/s	:	Mr. Anwar Karim, AC to GP-10
For the NHAI	:	Dr. Anand Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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| 2 | 18-02-2025 | <ol style="list-style-type: none">1. Heard learned counsel for the petitioners, learned AC to GP-10 for the State and learned counsel appearing on behalf of the NHAI.2. Learned counsel appearing on behalf of the NHAI at |
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the outset submits that the petitioners have rushed to this Court for seeking the relief(s) as pleaded in the instant writ application without availing their alternative remedy in terms of the National Highway Act, 1956. It is further submitted that Award in the instant case with respect to acquisition of land for Ram Janki Path was prepared on 13.01.2024 and if the petitioners are aggrieved by the Award, they have remedy of moving before the Arbitrator in terms of Section 3G(5) of the NH Act, 1956 but then the petitioners instead of moving before the Arbitrator in terms of Section 3G(5) of the National Highway Act, 1956 have filed the instant writ application.

3. At this stage, learned counsel appearing on behalf of the petitioners seeks permission to withdraw the writ application with liberty to avail their remedy against the Award in accordance with law before the authority competent.

4. Permission is accorded.

5. Accordingly, the instant writ application is dismissed as withdrawn.

6. It is made clear that if any issue of limitation arises before the authority competent, the authority competent shall keep in mind that petitioners were pursuing their remedy before this Court since 02.04.2024.

(Satyavrat Verma, J)

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