

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20033 of 2014

Ashok Kumar son of Late Keshwar Mahto, resident of Mohallah- Katra Bazar, P. S.- Malsalami, Patna City, Town and District- Patna.

... .. Petitioner/s

Versus

1. The Union Of India
2. The Deputy Secretary, Ministry of Road Transport and Highways, Government of India, New Delhi.
3. The National Highway Authority of India through it's Chairman-cum-Secretary, Ministry of Shipping,
4. The Project Director, National Highway Authority of India, D-36, Shree Krishna Puri, Patna.
5. The District And Acquisition Officer cum Competent Authority, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate
For the State : Ms. Abhanjali, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 01-07-2025 Heard the parties.

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

(i) For issuance of a writ in the nature of Mandamus directing and commanding the respondents to pay the petitioner immediately the compensation for the land of the petitioner pertaining to Plot no. 691, Khata no. 120, Thana no. 39, Mouza Abdul Rahmanpur, Patna Sadar which has been acquired by the respondents in the name of widening / four laning of the N. H.



30 in Patna Bhaktiyarpur, section with all benefits including upto date interest as well as 60% soletium as has been paid to other land holders of the said Mouza Abdul Rahmanpur including the land holder of Plot no. 8,689 and 699 of the said Mouza which have been acquired with the land of the petitioner.

(ii) For issuance of an appropriate writ directing and commanding the respondents to give the petitioner also the benefits of the findings as well as order of the Learned Arbitrator, Patna passed on 09-04-2013 in L. A. case no. 01/2012-13 with regard to the nature of the lands of the aforesaid Mouza Abdul Rahmanpur.

(iii) For any other relief or reliefs of which the petitioner is entitled to.

3. The kind of grievance the petitioner has, it is the submission of learned State counsel that he should have approached the Arbitrator-cum-Commissioner instead of agitating the matter. The case relates to the National Highway-30.

4. The statement seems to be justified. This Court



cannot look into such matters relating to compensation where the parties have to be heard particularly when no private person has been impleaded as respondent.

5. In that background, the petitioner is granted liberty to approach the Arbitrator-cum-Commissioner, Patna Division, Patna in next four weeks alongwith all the relevant documents, who shall be taking up the matter to its logical conclusion in next six months after hearing all the parties.

6. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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