

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14661 of 2016

1. Suresh Prasad and Ors Son of Late Ram Kishun Sah
2. Dr. Munni Lal Son of Late Ram Kishun Sah
3. Baijnath Prasad Son of Late Ram Lakhan Saw
4. Arvind Kumar Son of Late Mundrika Prasad
5. Manoj Kumar Son of Late Ramchandra Prasad
6. Raj Kumar Son of Late Ramchandra Prasad All are resident of Arwal Sipah,
P.S.- Arwal, District- Arwal, State- Bihar.

... .. Petitioner/s

Versus

1. The Union Of India and Ors
2. The Deputy Secretary Road Transport and National Highway Ministry, New Delhi.
3. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
4. The Principal Secretary, Revenue Department, Govt. of Bihar, Patna.
5. The Divisional Commissioner, Magadh Pramandal, Gaya.
6. The Collector, Arwal, District- Arwal.
7. The S.D.M., Arwal, District- Arwal.
8. The Land Acquisition Officer, District- Arwal.
9. The Circle Officer, Arwal, District- Arwal.
10. The National Highways Authority Regional Officer, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Adv.
For the Respondent/s : Mr. Sajid Salim Khan-Sc25

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 29-07-2025 Heard the parties.

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

*(i) For issuance of an appropriate
writ including a writ in the nature of
certiorari quashing the notification dated*



29.08.2012 published vide notification dated 10.11.2012 and the purported. declaration dated 23.8.2013 published on 11.12.2013 issued by the Deputy Secretary, Road Transport under the provisions of The National Highways Act (hereinafter to be referred to as 'the Act' for sake of brevity).

(ii) For issuance of an appropriate writ including a writ in the nature of Mandamus interdicting the and Respondents, subordinates, assignees or Agents etc. from interfering with the exclusion right of the petitioners over their respective land/house/shop in any manner whatsoever;

(iii) For issuance of an order/direction holding that the impugned notification has lapsed by operation of law and the whole exercise of power being an abuse and misuse the Respondents are accountable in public and are liable to adequately compensate the petitioners as determined;

(iv) To grant such relief as the petitioners are found entitled to and to grant costs of and incidentals to the present proceeding to the petitioners.

3. Though, the voluminous writ petition have number of annexures, the basic fact as to whether the land in question is



owned by the petitioner/family members and/or is a *Raiyati* land or not, has not been clearly answered.

4. Taking note of the aforesaid fact, the Co-ordinate Bench on 30.11.2016 wanted the petitioner to file supplementary affidavit.

5. In the supplementary affidavit, the petitioner has again come up with the orders of the Patna High Court instead of answering to the question posed by the Co-ordinate Bench.

6. In that background, they are not entitled for any relief. If however, they so want, can approach the Competent Authority/Civil Court for the redressal of their grievance.

7. The writ petition is bereft of merit, dismissed.

(Rajiv Roy, J)

Vijay Singh/-

U			
---	--	--	--

