

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10978 of 2014

-
-
1. Ram Kumar Roy and Anr Son of Late Rajendra Narain Roy of Narpatganj, P.S. - Narpatganj, District - Araria, Secretary, Bazar Bacho Sangharsh Samitee, Narpatganj, District - Araria.
 2. Mukesh Kumar Yadav son of Late Shardanand Yadav Resident of Narpatganj, P.S. - Narpatganj, District - Araria.

... .. Petitioner/s

Versus

1. The Union Of India and Ors.
2. National Highway Authority of India through its General Manager, G - 5 and 6, Sector 10, Dwarka, Ne
3. The General Manager, Tech and Regional Officer R.O. National Highway Authority of India D-63, S.
4. The Project Director, National Highway Authority of India, House of Sikander Singh, Sahiban Hata, n
5. The Project Manager, National Highway Authority of India, Purnea.
6. The State of Bihar through District Magistrate, Araria.
7. The District Land Acquisition Officer, Araria.
8. The Anchal Adhikari, Narpatganj, District - Araria.
9. The Commissioner, Purnea Division, Purnea

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dinu Kumar, Advocate Mr. Arvind Kumar, Advocate
For the Respondent/s	:	Mr. Sudhanshu Shekhar, AC to GP-24

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 30-06-2025 Heard the parties.

2. Learned counsel for the petitioner prays for and he is allowed to implead “The Commissioner, Purnea Division, Purnea” as respondent no. 9 in course of the day.

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

“i. For quashing the order



dated 22.08.2013 passed by Competent Officer-cum-District Land Acquisition Officer, Araria in Record No. 01/13-14 as contained in Annexure-8 by which objection made by the petitioner aggrieved persons has been rejected.

ii. Also for directing the respondents to act upon the Gazette Notification dated 30th July 2005 passed in Extra-Ordinary as contained in Annexure- for the purpose of constructing national highway no.57 from Muzaffarpur to Purnea covering Madhura Mauza Narpatganj Bazar.

iii. Also for commanding the respondents to give full effect of detail project report hereinafter referred as DPR prepared by National Highway Authority for constructing the National Highway No.57 running from Muzaffarpur to Purnea Pillar No. 223+800 to Pillar No. 222+100 (1.5 Kilometer) passing through Narpatganj Bazar and the Road Map prepared approved and accepted by the National Highway Authority of India prior to acquisition of the land.

iv. And further declaration



issuance of Gazette notification as contained in Annexure-3 contrary to the DPR for constructing the National Highway No.57 running from Muzaffarpur to Purnea from Pillar No.323 to 800 to Pillar No.222+100 passing through Narpatganj Bazar is illegal, null and void.

v. And also for necessary relief/reliefs, order/orders, direction/directions for which the petitioner will be entitled in the law as well as in the facts of the case.”

4. The matter relates to the construction of the road (East-West corridor) which is known as National Highway-57 and the petitioner no.1 claims to own a piece of land bearing Khata No. 1587 Plot No. 6621, Area 9 decimal, situated in Mauza Madhura, Circle Narpatganj, Thana No. 208, District – Araria, whereas the petitioner no. 2 claims to own a land bearing Khata No. 1501, Plot No. 6570, Area 20 Decimal situated at Narpatganj Bazar in District of Araria.

5. Earlier, they were agitating the matter to get the land released citing the project report, the prayer of the petitioners came to be negated by the competent officer cum District Land Acquisition Officer, Araria on 22.08.2013 vide



case No. 01 of 2013-2014 (Annexure-8 to the writ petition).

6. Learned counsel for the petitioners submit that now NH-57 stands constructed and since last one decade, the vehicles are moving on it and as such now they cannot claim for release of their land which they submits has been taken over and construction made.

7. Learned counsel for the respondents refuted the same and submits that no further document has been brought on record to show that the NH-57 has crossed through the land of the petitioners.

8. It is the case of the petitioners that they will be satisfied that appropriate authority takes cognizance of their prayer and pass an appropriate order, the submission is that all the relevant documents to show that their lands have been taken over by the authorities to construct aforesaid land and no one, much less the petitioners have denied the compensation amount.

9. Earlier, the petitioners wanted release of the land which was negated, challenged, now they have taken a different stand, the documents are not on record to accept the said claim, in that background, as the petitioners are ready to approach the newly added respondent no. 9 with all the relevant documents, if the same is filed within a period of four weeks from today, the



concerned authority shall take up the matter after issuance of notice to all the relevant players/parties of the said case, shall try to take the matter to its logical conclusion at an earliest.

10. With the aforesaid observation, the writ petition stands disposed of.

(Rajiv Roy, J)

Ankit Kumar/-

U			
---	--	--	--

