

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.198 of 2017

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Jokhan Singh Son of late Radha Kishun Singh Resident of Village-Barej, P.O.
Kauriram, P.S. Mohaniya, District- Kaimur at Bhabhua. Petitioner/s
Versus

1. The Union Of India
2. The Deputy Secretary, Ministry of Road, Transport and Highways, Govt. of India, New India.
3. The National Highways Authority of India through its Chairman-Cum-Secretary, Ministry of Shipping R
4. The Project Director, National Highway Authority, Sasaram , Bihar.
5. The District Land Acquisition Officer-cum-Competent Authority, Kaimur at Bhabua.
6. The Additional Collector-cum-Arbitration, Kaimur at Bhabua.
7. The State of Bihar through the District Magistrate, Kaimur at Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None.
For the Respondent/s	:	Mr.Sajid Salim Khan, SC-25
For NHA	:	Dr. Maurya Vijay Chandra, Advocate
		Mr. Gaurav Govinda, Advocate
		Ms. Preety Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 30-08-2025 None appears on behalf of the petitioner though the State as also the NHA are present.

2. The present petition has been preferred for the following relief/s:

(i) for setting aside the order dated 21.3.2015 passed in Misc. Case No. 303/2014-15 by the Additional Collector-cum-Arbitrator, Kaimur at Bhabua whereby and where under the learned Arbitrator has rejected the claim of the petitioner to



calculate the value of acquired land in dispute at the rate of commercial in place of residential;

(ii) and/or pass such any other order/orders which the court thinks the petitioner entitled for.

3. The counter affidavit of NHAI is on record after service of copy to the petitioner on 11.09.2018 in which it has been recorded in para-3 that against the order passed by the Arbitrator cum Additional Collector, Kaimur at Bhabhua, the petitioner should have moved before the competent Civil Court under sections 34 and 36 of the Arbitration and Conciliation Act, 1996.

4. Neither any reply has been filed nor there is any appearance.

5. The writ petition is dismissed for non-prosecution allowing the petitioner to approach the competent Civil Court, if he so wants.

(Rajiv Roy, J)

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