

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9342 of 2025

Kundan Yadav @ Kundan Kumar @ Kundan Kumar Yadav Son of Manmohan Yadav, resident of Mohalla Purabsarai, Behind Goshala P.S. Kotwali, P.O. and District Munger.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Road Transport and Highways, Government of India, New Delhi.
2. The Secretary, Ministry of Road Transport and Highways, Government of India, New Delhi.
3. The National Highway Authorities of India, through its Chairman, G 5 and 6, Sector - 10, Dwarka, New Delhi 110075.
4. The Chairman, The National Highway Authorities of India, G 5 and 6, Sector- 10, Dwarka, New Delhi- 110075.
5. The Project Director, National Highways Authority of India, Project Implementation Unit- Munger, Sh. Ajit Sahai, Shiv Bhawan Colony, Gumti No. 03, Near Kachahari Chowk, RBSS Sahay Road, Bhagalpur- 812001 (Bihar).
6. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Old Secretariat, Patna.
7. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Old Secretariat, Patna.
8. The Divisional Commissioner, Munger.
9. The District Magistrate, Munger.
10. The Competent Authority Cum District Land Acquisition Officer, Munger.
11. The Circle Officer, Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra, Sr. Adv. Mr. Manini Jaiswal MR. Komal Mishra, Adv. Mr. Manas Rajdeep, Adv.
For the Respondent/s	:	Mr. Additional Solicitor General
For the NHAI	:	Ms. Iti Suman, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-06-2025 Heard Mr. Sanjeev Kumar Mishra, learned Senior Counsel for the petitioner, the State and Ms. Iti Suman representing the State.

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



(i) For quashing the notice dated 16.04.2025 issued under the signature of competent officer- cum District Land Acquisition Officer, munger whereby and whereunder the award of the land of the petitioner situated at Milkichak thana no. 198 Khesra no. 7 of area 3.250 decimal, was decided and the compensation amount was fixed to the tune of Rs. 732181.00 without deciding that over the land the residential building was situated in which the petitioner has invested a huge amount has been invested by the petitioner.

(ii) For issuance of an appropriate writ for direction upon the respondent authorities to pay fair compensation to the petitioner in terms of sec 3G of the National Highway Authorities of India Act (hereinafter referred to as the Act) at the prevalent rate after modifying the part of the order dated 30.12.2023 passed in land acquisition case no. 58/2022 passed by the Divisional Commissioner, Munger.

(iii) For issuance of an appropriate writ in the nature of certiorari for quashing the order dated 30.12.2023 passed in land acquisition case no. 58/2022 passed by the Divisional Commissioner, Munger, whereby and whereunder the amount of compensation fixed by the competent authority cum District land Acquisition officer, Munger fixed as Rs.



176249.00 has been modified to an amount of Rs. 8,95,835.05.

(iv) Pending hearing of the writ petition pay the amount of Rs. 8,95,835.05 to the petitioner forthwith.

3. After some argument, learned Senior Counsel candidly accept that a reasoned order has been passed by the Divisional Commissioner-cum-Arbitrator, Munger Division, Munger but the petitioner is not satisfied and remedy lies before the Competent Civil Court. He submits that, however, there has been delay in approaching the Court.

4. Learned counsel representing the NHAI submits that the petitioner should have approached the Competent Court in time. However, he can still avail the remedy.

5. The writ petition in the aforesaid background is disposed of with the observation that if the petitioner approaches the competent Civil Court within eight weeks from today, the Court concerned shall take into account the fact that under misconception, the petitioner moved before the Patna High Court while dealing with the limitation petition.

(Rajiv Roy, J)

Vijay Singh/-

U			
---	--	--	--

