

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13117 of 2017

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Ram Ratan Singh Son of Late Shewrat Singh resident of Ushalaya, Hanuman Nagar, Mustafabad, Police Station - Rampur, District - Gaya.

... .. Petitioner/s

Versus

1. The Union Of India and Ors
2. The National Highway Authority of India Ltd. under the Ministry of Road Transport and Highways Govt.
3. The Competent Authority cum District Land Acquisition Officer, Gaya.
4. The District Magistrate, Gaya.
5. The Divisional Commissioner, Magadh Range, Gaya.
6. The Additional Collector cum Enquiry Officer-cum-Arbitrator, Gaya.
7. The State of Bihar through District Magistrate, Gaya.
8. The Project Director, N.H. 83, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Parashuram Singh, Adv.
For the Respondent/s	:	Dr. Maurya Vijay Chandra, Adv.
		Mr. Gaurav Govinda, Adv.
		Mr. Anjali Kumari, Adv.
		Mr. Preety Ranjan, Adv.
For the State	:	Mr. Vivekanand Singh, AC to G.P-18

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-04-2025 Heard Mr. Parashuram Singh, learned counsel for the petitioner, Mr. Maurya Vijay Chandra duly assisted by Ms. Preety Ranjan for the NHAI as also Mr. Vivekanand Singh, learned A.C. to G.P. 18.

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

(i) to issue an appropriate writ/order/direction in the nature of Mandamus commanding the respondents to



determine the acquired land of the petitioner on commercial as the basis of proof and evidence and accordingly to make payment the amount of the compensation to the petitioner of commercial value;

(ii) respondents concerned be directed to look into the petitioner's grievances regarding the nature of the acquired as done in case of similarly situated person;

(iii) the Respondents' act of refusal in determining the acquired land of the petitioner as commercial in nature be highly deprecated declaring the same as stood interference with the statutory right of the petitioner;

(iv) erring respondents be sternly dealt with for their misdeed, misdemeanor and defying act done on considerations. Extraneous;

(v) any other relief or reliefs be granted to the petitioner to which he is legally entitled.

3. The order passed by the Arbitrator, the compensation amount accepted by the petitioner. He is aggrieved that it should have been put under the category of commercial land and accordingly, payment should have been made.

4. The counter affidavit of the respondent no. 3, 4, 6



and 7 shows that if aggrieved, he should have moved before a Competent Civil Court.

5. Learned counsel for the petitioner submits that he shall be taking appropriate remedy but the delay has occurred.

6. Since the writ petition was pending before this Court, if the petitioner chooses to move before appropriate Court in next four weeks, the delay be considered in the light of the fact that for eight years, the matter was pending before this Court.

7. The writ petition stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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