

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5743 of 2017

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Ashok Kumar Singh Son of Aliyar Singh, Resident of Village- Karampura,
Post Durgawati, P.S. Durgawati, District- Kaimur, Bhabua.

... .. Petitioner/s

Versus

1. The National Highways Authority Of India and Ors
2. The Project Director, National Highway Authority, Sasaram.
3. The District Land Acquisition Officer-cum- Competent Authority, Kaimur at Bhabua.
4. The Additional Collector-cum- Arbitration, Kaimur at Bhabua.
5. The District Magistrate, Kaimur, Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sheo Kumar Prasad, Advocate
For the Respondent/s	:	Mr.Birendra Pd. Singh, Act to SC-19
For NHAI	:	Mr. Rajesh Shandliya, Advocate
		Ms. Ankita Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-11-2025 Heard the parties.

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

*(i) for setting aside the order dated
24.2.2015 passed by A.D.M.-cum-Arbitrator,
(Bhabhua) Kaimur in Misc. Case
No.17/2013-14, whereby and where under
the learned Arbitrator has rejected the claim
of the of petitioner to calculate the value
acquired land in dispute at the rate of
commercial in place of residential;*



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

3. It has been rightly pointed out by the learned counsel for the National Highways that an order has been passed by the Arbitrator on 24.02.2015 (Annexure-2 to the petition) and the petitioner ought to have moved before the competent Court under section 34 of the Arbitration and Conciliation Act, 1996.

4. In that background, the writ petition is disposed of allowing the petitioner to approach the competent Court and if such petition is preferred, the Court concerned shall see to it that the writ petition was pending before this Court since the year 2017 while taking up the limitation petition.

(Rajiv Roy, J)

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