

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13653 of 2025

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Ramchandra Prasad S/o Late Harihar Prasad, Resident of Village- Titra, P.S.-
Mairwa, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Saran at Chhapra.
4. The District Magistrate-cum-Collector, Siwan.
5. The District Land Acquisition Officer, Siwan.
6. The Circle Officer, Jiradei, Siwan.
7. The Chief General Manager, Regional Office, National Highway Authority of India, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satyendra Rai, Advocate
For the State	:	Mr. Amit Bhushan, AC to GP-17
For the NHAI	:	Dr. Maurya Vijay Chandra, Advocate
	:	Mr. Gaurav Govinda, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-08-2025 Heard Mr. Satyendra Rai, learned counsel for the petitioner and learned counsel representing the State beside Dr. Maurya Vijay Chandra, learned counsel representing the National Highway Authority of India (henceforth for short ‘the NHAI’).

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

*“(i) for direction to the respondent
authorities to calculate the compensation*



amount of the land and building of the petitioner under the commercial head instead of agricultural/residential head/rate as calculated vide notices dated 13/03/2024 and 05.02.2025 (Annexure-4 series) issued to the petitioner under section 3E of National High Way Act, 1956 under Siwan District in Land Acquisition Case No. 28/2023-24 and 24/2024-25 for (Ramjanaki Path Pariyojana NH-227A) as per the physical existence of the land and building keeping in view of the sale deeds of the surrounding land/plots of petitioner upon which stamp duty has been paid as per commercial rate fixed by the government for the lands situated at Siwan-Mairwa (S.H.) main road under Mauza Titra.

(ii) For direction to the respondent authorities to make compensation to the commercial plots/building of the petitioner situated at Siwan-Mairwa(S.H.) main road which is under acquisition process for construction of Ramjanaki Path NH227A in L.A.



Case No.28/2023-24 and 24/2024-25.

(iii) For direction to the respondent authorities not to start construction of Ramjanaki Path NH227A till awarding compensation under Commercial head for commercial plots/building and under agricultural heads for the agricultural plots.

(iv) For direction to the respondents to calculate the separate compensation amounts under land acquisition process under commercial heads giving details of area and cost of building which has been included under acquisition notice for obtaining compensation amount in Land Acquisition Case No. 28/2023-24 and 24/2024-25.

(v) For any other relief/reliefs as your lordship may deem fit and proper in the facts and circumstances of the case.”

3. After some argument, learned counsel for the petitioner submits that he shall be approaching the respondent no.3, the Arbitrator-cum-Divisional Commissioner, Saran at Chapra.



4. Learned State counsel submits that if such petition is filed alongwith all the relevant documents, the same shall be taken to its logical conclusion.

5. Learned counsel representing 'the NHAI' submits that he shall be appearing and doing the needful in the matter.

6. In that background, the writ petition stands disposed of allowing the petitioner to approach the Arbitrator-cum-Divisional Commissioner, Saran at Chapra in next four weeks.

7. If the said petition is preferred in stipulated time, as stated above, the concerned Authority shall consider the limitation petition, if any, considering that the writ petition was pending before this Court.

8. The writ petition stands disposed of.

(Rajiv Roy, J)

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