

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14959 of 2015

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Daya Shankar Sah @ Daya Shankar Prasad Sah Son of Late Ghurbhari Sah,
Resident of village- Didikhili, P.S. Durgawati, District- Kaimur Bhabhua.

... .. Petitioner/s

Versus

1. The Union Of India and Ors
2. The Deputy Secretary, Ministry of Road Transport and Highways Govt. of India New Delhi.
3. The National Highway Authority of India through its Chairman-cum-Secretary Ministry of Shipping Roa
4. The Project Director, National Highway Authority, D.I.G. Colony Maqbul Alam Road, Varanasi, U.P.
5. The State of Bihar through the District Magistrate Kaimur at Bhabhua.
6. The District Land Acquisition Officer-Cum-Competent Authority, Kaimur Bhabhua.
7. The Additional Collector-cum-Arbitrator, Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sheo Kumar Prasad, Advocate
For the NHAI	:	Mr. Kumar Gautam, Advocate
For the State	:	Mr. S.S. Tiwary, AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-07-2025 Heard the parties,

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

*That this Writ Application is
being filled for issuance of appropriate
writ/order/ direction (S) of to the
respondent Authorities for setting aside
the Order dated 17.01.2015 passed by
Arbitrator Bhabhua in Case No. 124/14-
15, whereby and where under the*



Petitioners have been arbitrarily deprived from the adequate Compensation of land acquired by Central Govt. Under National Highway Authority Act 1950 Contrary to their own finding and arbitrarily discretion in evaluating the land valuation which is prima-facie evident from their order, which renders the instant order liable to be vitiated.

And/or

Pass such order/s which the Hon'ble Court thinks the petitioner entitled for.

3. Learned counsel for the petitioner submits that the Arbitrator has passed an order and if aggrieved the petitioner has to take recourse to Section 34 of the Arbitrator and Conciliation Act, 1996.

4. The said contention has been recorded in para-21 of the counter-affidavit on behalf of the respondent no. 4 after service of copy to the learned counsel for the petitioner on 08.02.2016 and there is no rebuttal.

5. The present writ petition stands disposed off, granting liberty to the petitioner to approach under aforesaid Act. If the petition is preferred within four weeks from today, the Court concerned shall take into account the fact that for 10 years, the



matter was pending before this Court while dealing the delimitation petition.

(Rajiv Roy, J)

Sudhanshu/-

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