

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20901 of 2021

1. Awadh Bihari Pandey, Son of Late Ramdayal Pandey, resident of Near S.B.I. Laxmipur Mathurapur, District-Bhagalpur, Permanent resident of Laxmipur, P.S.-Pirpaiti, District-Bhagalpur.
2. Bhup Narayan Pandey, son of Late Ramdayal Pandey, Resident of at the Back of Nishant Apartment, Khanjarpur, Masjid Gali, P.S. Barari, Bhagalpur, Permanent resident of Laxmipur, P.S.-Pirpaiti, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. The Director, Land Acquisition, Revenue and Land Reforms Department, Bihar, Patna.
3. The Collector-cum-District Magistrate, Bhagalpur.
4. The Land Acquisition Officer, Bhagalpur.
5. The District Sub Registrar, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Mishra, Adv.
For the Respondent/s : Mr.Sajid Salim Khan (SC25)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 19-11-2025 Heard Mr. Sanjeev Kumar Mishra, learned counsel
for the petitioners and Mr. Sajid Saim Khan, learned SC 25 for
the State- respondents.

2. The main grievance raised by the petitioners in this writ petition is that the objection filed by the petitioners with regard to the rate of compensation as well as nature of their land has not been taken into account by the authorities while deciding the compensation amount and the same is pending



since 15.11.2021. It is submitted by the petitioners' counsel that the land of the petitioners has been acquired for the purpose of construction of National Highway no.-80 at Munger Mirzachauki section four lane and after receipt of the notice regarding land acquisition process, the petitioners filed their objection on 15.11.2021 before the Land Acquisition Officer, Bhagalpur, respondent no.4 to the rate at which compensation amount was fixed as the compensation amount ought to have been calculated considering the nature of petitioners' land as Vikashshil for which rate of compensation has been fixed by the Government as Rs. 24,000/- per decimal and for redressal of their grievance the petitioners have filed objection before the respondent no.4 which is still pending and no action has been taken under section 3G(5) of the National Highway Act, 1956 which says that if the amount determined by the competent authority under sub-section (1) or sub-section (2) is not acceptable to either of the parties, the amount shall, on an application by either of the parties, be determined by the arbitrator to be appointed by the Central Government.

3. Considering the aforesaid submissions and taking into account the averments made in the writ petition, the respondent no.4 is directed to decide the petitioners' objection



in the light of section 3G(5) of the National Highway Act at the earliest, preferably, within four weeks from the date of receipt/production of a copy of this order.

4. It is hereby clarified that the petitioners' right to file application under section 3G(5) of the National Highway Act before the Arbitrator for determination of the compensation amount will not be affected by this order.

5. Accordingly, this writ petition stands disposed of.

(Shailendra Singh, J)

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