

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14016 of 2025

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1. Sangita Devi @ Sangita W/o Sri Sunil @ Sunil Bhagat, resident of village-Titra Tola Hirauli, P.S.-Mairwa, District-Siwan.
 2. Sunil @ Sunil Bhagat, S/o Late Rajendra Bhagat, resident of village-Titra Tola Hirauli, 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

Appearance :

For the Petitioner/s	:	Mr. Satyendra Rai, Advocate
For the Respondent/s	:	Mr. Ramadhar Singh, GP-25
		Mr. Upendra Prasad Singh, AC to GP-25
For the NHAI	:	Mr. Gaurav Govinda, Advocate
		Mr. Preety Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-09-2025 Heard the parties.

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

*“(i) for direction to the respondent
authorities to calculate the compensation amount
of the land of the petitioners under the commercial
head instead of agricultural head/rate as*



calculated vide notices dated 13/03/2024 and 25.02.2025 (Annexure-5 series) issued to the petitioners 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 lands keeping in view of the sale deeds of the surrounding land/plots of petitioners 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 of the petitioners 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 under agricultural heads for the agricultural plots.

(iv) For direction to the respondents to calculate the compensation amounts under land acquisition process under commercial heads giving details of area which has been included under acquisition notice (Annexure-4 series) for obtaining compensation amount in Land Acquisition Case No. 28/2023-24 and 24/20204-25.

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

3. At the outset, learned counsel for the NHAI submits that already the award has been prepared by the Competent Officer-cum-District Land Acquisition Officer, Siwan and as such, if the petitioner wants enhanced compensation, he has to move before the Arbitrator-cum-Divisional Commissioner, Saran at Chapra (respondent no. 3).

4. Learned counsel for the petitioner submits that he shall be doing the needful in next four weeks.

5. With the consent of the parties the writ petition



stands disposed of allowing the petitioner to approach the concerned authority, the Arbitrator-cum-Divisional Commissioner, Saran at Chapra (respondent no. 3) in next four weeks and if such petition is filed, to take the matter to its logical conclusion within the time frame stipulated under the Act.

(Rajiv Roy, J)

Adnan/-

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