

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14794 of 2025

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Kameshwar Singh S/o Late Chandeshwar Prasad Singh @Chandeshwar Singh, R/O- Village and P.O.- Madhopur, P.S.- G.B. Nagar (Tarbara), District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Divisional Commissioner, Saran Division, Chapra.
2. The Divisional Commissioner, Saran Division, Chapra.
3. The District Land Acquisition Officer, Siwan.
4. The National Highway Authority of India Ltd. G-5 and 6, Sector- 10 Dwarka, New Delhi.
5. The Union of India through Ministry of Road Transport and Highways, New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Yashwant Kumar @ Chaman, Advocate
For the State	:	Mr. Standing Counsel (05)
For the NHAI	:	Dr. Maurya Vijay Chandra, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-09-2025 Heard the parties.

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

“(i) for quashing the order dated 12.03.2025/26.03.2025 passed by the Arbitrator cum the Commissioner, Saran Division, Chapra in Arbitration Case No.-42/2025 whereby the Arbitration Case No.-42/2025 filed by the petitioner against the compensation amount mentioned in the award, has been rejected on



ground that the petitioner has not filed an application under section-5 of Limitation Act, 1963 along with the main application.

(ii) to direct the Arbitrator cum Divisional Commissioner, Saran Division, Chapra to consider the Arbitration Case No.-42/2025 afresh condoning the delay, if any occurred in filing the said case and pass an appropriate order in accordance with law after giving opportunity of hearing to the petitioner.

(iii) for direction upon the respondent no.-2 to consider the Arbitration Case No.-42/2025 filed by the petitioner along with the Limitation Petition under section-5 of the Limitation Act, 1963 and pass afresh order in accordance with law after hearing the parties.

(iv) for any other relief/reliefs to which the petitioner may be entitled to.”

3. After some argument, learned counsel for the petitioner prays that he shall be approaching the competent Civil Court under section 34 of the Arbitration and Reconciliation Act, 1996 in next eight weeks.



4. If such petition is preferred in next eight weeks, the same be considered on merit and disposed it of expeditiously.

5. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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