

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17170 of 2018

1. Krishna Kumar Mishra, Son of Janardan Mishra,
2. Marai Ram, Son of Late Shivpujan Ram,
3. Dadan Sah, Son of Late Dudhnath Sah, All Residents of Village- Navanagar,
P.S.- Udwant Nagar, District- Bhojpur.

... .. Petitioner/s

Versus

1. The Union Of India through the Secretary, Department of Ministry of Road
Transport Highway, New Delhi.
2. The Project Director National Highway Authority Boring Road,
Srikrishnapuri, Bihar, Patna.
3. The State of Bihar, through The District Magistrate, Bhojpur, Ara.
4. The District Land Acquisition Officer, Bhojpur, Ara.
5. The Additional Collector, Bhojpur, Ara.
6. The Additional Collector-cum-Arbitrator, Bhojpur, Ara.
7. The Deputy Development Commissioner, Bhojpur, Ara.
8. The S.D.O., Sadar, Ara.
9. The Deputy Collector, Land Reforms, Bhojpur, Ara.
10. The Anchaladhikari, Udwant Nagar Bhojpur, Ara.
11. The Sub-Registrar, Bhojpur, Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar Singh, Advocate
For the State	:	Mr. Manoj Kumar Sinha (AC to SC-19)
For the NHAI	:	Mr. Dr. Maurya Vijay Chandra, Advocate
		Mr. Gaurav Govinda, Advocate
		Ms. Preety Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-02-2025 Heard Learned Counsel for the petitioners, Learned
Counsel for the State and Learned Counsel for NHAI.

2. The present writ petition has been filed in the
nature of certiorari for quashing of the order dated 25.05.2017
passed by the Additional Collector-Cum-Arbitrator, Bhojpur at
Ara in Arbitration Case No.05/2015-16 (annexed as Annexure-
2).



3. Learned Counsel for the State and Counsel for the NHAI raised preliminary objection and submits that from the pleading, it transpires that the land of the petitioners has been acquired under National Highways Act, 1956 (Act No.48 of 1956) and statutory remedy is available to the petitioners under the N.H. Act, 1956 against the order passed by the Arbitrator by way of filing application before the authority under Section 3G (6) & (7) of the N.H. Act, 1956 under the Arbitration and Conciliation Act, 1996.

4. In this background, this writ petition is hereby disposed off granting liberty to the petitioners to avail their remedy available under the N.H. Act, 1956 in section 3G (6) & (7) before the forum under the Arbitration and Conciliation Act, 1996 within 30 days from today.

5. It is made clear that in case there is delay in filing the application before the forum, then the said delay is hereby directed to be condoned.

(Dr. Anshuman, J)

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