

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17115 of 2025

Shiv Kumar Pandey @ Shiv Kumar son of Late Ram Prasad Pandey @ Jharoo Pandey, Resident of village Makhar, P.S. Akbarpur, District Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. Secretary, National High way Authority of India Road Transport of High way Department, New Delhi.
3. The District Magistrate, Nawadah
4. District Land Acquisition Officer, Nawadah
5. The Circle officer, Akbarpur, Nawadah.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ram Prawesh Kumar, Advocate
For the State	:	Mr. Mahtab Alam (AC to SC-20)
For the NHAI	:	Mr. Dr. Maurya Vijay Chandra, Advocate
		Mr. Gaurav Govinda, Advocate
		Ms. Preety Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-11-2025 Heard the parties.

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

“I. For giving a direction to pay compensation for construction of road over raiyat land of the petitioner which has been acquired by the respondent authority in construction of N.H 31 project Bakhtiarpur-Rajauli -I section.

II. For giving a direction not to taken into consideration of any objection submitted by



any persons with regard the right and title of the land in question of the petitioner and the petitioner is absolute owner of the land in question and in support of the same already the petitioner has submitted all document in support of his right and title over the land in question.

III. For issuance of any other relief/reliefs to which petitioner found entitled to in the eye of law.”

3. At the outset, learned State counsel submits that the objection has been filed by the cousin sister of the petitioner namely, Reena Kumari (Annexure-P/3 to the petition) who has not even been made party respondent in the case. As such, the writ petition be dismissed for non-joinder of the necessary party. It is further submitted that in the present case, a dispute has arose as to whom the compensation is to be paid. In that background, the petitioner ought to have approached the competent authority/forum under Section 3H(5) of the National Highways Act, 1956 (Act No.48 of 1956).

4. After some arguments, learned counsel for the petitioner submits that he shall be approaching the competent



authority/forum for the redressal of the grievance.

5. Granting said liberty and cautioning him to be careful in future on impleading the necessary party as respondent while filing the petition, the writ petition is disposed of.

(Rajiv Roy, J)

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