

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16370 of 2023

-
-
1. Gulab Chand Singh Son of Late Ram Charitra Singh, Resident of Village - Kangali Chowki, Post Office- Ammapali, Police Station - Pirpainty, District - Bhagalpur.
 2. Himachal Prasad Singh, Son of Late Lorik Prasad Singh, Resident of Village - Kangali Chowki, Post Office- Ammapali, Police Station - Pirpainty, District - Bhagalpur.
 3. Manoj Kumar Singh, Son of Late Lorik Prasad Singh, Resident of Village - Kangali Chowki, Post Office- Ammapali, Police Station - Pirpainty, District - Bhagalpur.
 4. Mahendra Prasad Singh, son of Late Ramadhar Singh, Resident of Village - Kangali Chowki, Post Office- Ammapali, Police Station - Pirpainty, District - Bhagalpur.

... .. Petitioner/s

Versus

1. Director, National Highways Authority of India New Delhi.
2. The Project Director, National Highways Authority of India, P.I.U.- Munger, District- Munger.
3. The Competent Authority, National Highways Authority of India, Mirza Chowki Section Project, Munger, District - Munger.
4. The State of Bihar through Commissioner-cum-Secretary, Department of Revenue, Bihar, Patna.
5. The Divisional Commissioner, Bhagalpur, District - Bhagalpur.
6. The District Magistrate-cum-Collector, Bhagalpur, District - Bhagalpur.
7. The District Land Acquisition Officer, Bhagalpur, District - Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Sinha, Adv.
For the Respondent/s	:	Mr. Md. Khurshid Alam (Aag12)
For N.H.A.I.	:	Mr. Maurya Vijay Chandra, Adv.
		Mr. Gaurav Govinda, Adv.
		Ms. Preety Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-04-2025 1. Heard learned counsel for the petitioners, learned

AC to AAG-12 and the learned counsel appearing on behalf of

the NHAI.



2. The learned counsel appearing on behalf of the NHAI submits that petitioners had earlier moved this Court by filing CWJC No.6913/2022 and the said writ application was permitted to be withdrawn by an order dated 21.09.2022 with liberty to the petitioners to move before the Divisional Commissioner-cum-Arbitrator, Bhagalpur under Section 3G(5) of National Highway Act, 1956. The learned counsel next submits that the petitioners moved before the Divisional Commissioner-cum-Arbitrator, Bhagalpur in terms of the order dated 21.09.2022 in CWJC No.6913/2022 seeking compensation with respect to his acquired land and the same came to be decided by the Arbitrator by an order dated 16.06.2023 contained in Memo No.804. The learned counsel appearing on behalf of the NHAI submits that if the petitioners are aggrieved by the order passed by the Divisional Commissioner-cum-Arbitrator, Bhagalpur in that event the petitioners have alternative remedy of approaching a court of competent jurisdiction in accordance with law challenging the award passed by the Divisional Commissioner-cum-Arbitrator, Bhagalpur under the Arbitration and Conciliation Act, 1996 but then petitioners instead of availing their alternative remedy have rushed to this Court.



3. The learned counsel appearing on behalf of the petitioners is not in a position to rebut the said submission of the learned counsel appearing on behalf of the NHAI and thus Court finds no merit in the writ application.

4. The writ application is dismissed.

(Satyavrat Verma, J)

amit/-

U			
---	--	--	--

