

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2160 of 2026**

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1. Nand Kishore Prasad Son of Late Nandlal Prasad Yadav, resident of Village-Khedalpura, Neora Road, Jamaluddin Chak, P.S.- Sahpur, District- Patna.
  2. Neelam Devi, Wife of Nand Kishore Prasad, resident of Village-Khedalpura, Neora Road, Jamaluddin Chak, P.S.- Sahpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Arbitrator-cum-Divisional Commissioner, Patna Division, District-Patna.
3. The District Magistrate, Patna, District- Patna.
4. The Competent Authority-cum- District Land Acquisition Officer, Patna, District- Patna.
5. The National Highways Authority of India (NHAI), through its Chairman, New Delhi.
6. The Project Director, National Highways Authority of India, Danapur Bihta Elevated Corridor Project, PIU, D/63 Sri Krishnapuri, Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Jitendra Kumar, Advocate |
| For the State        | : | Mr. Shankar Prasad, SC 8     |
|                      |   | Mr. Anil Kumar, AC to SC 8   |
| For the NHAI         | : | Dr. Anand Kumar, Advocate    |

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      10-02-2026                      Heard      Mr. Jitendra Kumar, learned counsel  
  
                                                                                 appearing on behalf of the petitioners; Mr. Shankar Prasad,  
  
                                                                                 learned SC 8 along with Mr. Anil Kumar, learned AC to SC 8  
  
                                                                                 and Dr. Anand Kumar, learned counsel for the NHAI.

2. Petitioners have *inter alia* prayed for following  
reliefs in the paragraphs No.1 of the writ petition:-

*“(a) To issue a writ of mandamus or any other  
appropriate writ order/direction directing the respondent*



*authorities, particularly the respondent no.4 the competent authority-cum-District Land Acquisition Officer, Patna, to forthwith comply with and implement the Arbitration Award dated 30-01-2025 passed by the Arbitrator -cum-Commissioner, Patna Division, Patna in Arbitration Case No.65/2024 under the National Highways Act, 1956, and to disburse the lawful compensation along with all statutory benefits to the petitioners, in terms of the said Award.*

*(b) To issue a writ of mandamus directing the respondent authorities particularly the respondent no.4 to recalculate and pay the compensation amount for the acquired land (the land contains construction of building) at Main Road Residential location in accordance with the prevailing market rate as applicable to Main Road Residential properties as determined in the aforesaid Arbitration Award.*

*(c) To issue a writ of mandamus directing the respondent authorities to pay full and adequate compensation for the (a) entire constructed area/built up structure of 1633.5 square feet, (b) cost of two summer sable pumps and cost of five standing trees on the acquired plot.*

*(d) To issue a writ of mandamus directing the respondent authorities to pay interest on the compensation amount as determined by the Arbitrator from the date of the Arbitration Award (30-01-2025) till the date of actual payment, or as permitted under applicable law.*

*(e) To grant any other relief or reliefs for which the petitioner found entitled to in the facts and circumstances of the case.”*

3. In view of the relief as prayed for in the present writ petition, as well as, specific direction by the Arbitrator vide order dated 30.01.2025, duly appointed by the National Highways Authority of India (NHAI), I find that the Arbitrator has gone into the material facts and the evidence and has arrived at a finding that the land which has been acquired is located near the main road and is residential in nature. The Arbitrator though has not given a specific description in respect of the MVR



which is prevalent in the area and notified by the State Government. Learned counsel submitted that in spite of the specific direction of the learned Arbitrator, the order dated 30.01.2025 has not been complied till date.

4. This Court has no alternative than to direct the District Land Acquisition Officer, Patna to call upon the competent officer of the NHAI and the petitioners along with the MVR notified by the State Government in the vicinity of the land, claimed by the petitioners having been occupied by the NHAI and see that against the arbitral order, the NHAI has challenged the same before the competent civil court. In case, the NHAI has not chosen to challenge the Award, the District Land Acquisition Officer in that case is required to exercise his jurisdiction to make payment of difference of amount on the basis of MVR prevalent in the area as on the date the land acquired and it is now admitted that the road is in existence. Inaction on part of the District Land Acquisition Officer without any reason will amount to having deprived the petitioners from their right to property, as provided under Article 300-A of the Constitution of India. Upon compliance of the order passed by the Arbitrator, the District Land Acquisition Officer is required to inform the District Magistrate-cum-Collector, Patna and the Project Director,



NHAI.

5. With the above direction, the writ petition is disposed of.

**(Purnendu Singh, J)**

Sanjay/-

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