

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8693 of 2025

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Surendra Singh S/o Late Ambika Singh, Resident of Village-Charihara, P.S.-
Mashrakh, District-Saran, Bihar, PIN-841417.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Secretary, Revenue and Land Reforms Department (Land Acquisition Directorate), Government of Bihar, Patna.
2. The Chairman, National Highways Authority of India.
3. The Regional Officer, National Highways Authority of India, D/63, First Floor, Sri Krishnapuri, Patna Bihar-800001.
4. The Arbitrator cum Divisional Commissioner, Saran at Chapra.
5. The District Magistrate cum Collector, Saran, Chapra.
6. The Project Director, National Highways Authority of India, Project Implementation Unit, H/O Smt. Gayatri Devi, At-Prabhunath Nagar, Post-Tari, Police Station-Chapra Muffasil, District-Saran Bihar-841301.
7. The Competent Authority cum The District Land Acquisition Officer, Chapra.
8. The Circle Officer Mashrakh, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Shekhar Tiwary, Advocate
For the State	:	Mr. Standing Counsel (13)
For the NHAI	:	Mr. Sriram Krishna, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-05-2026 Heard Mr. Shashi Shekhar Tiwary, learned counsel

for the petitioner and Mr. Sriram Krishna, learned counsel

representing the National Highway Authority of India as also

learned State counsel.

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

“(i) the order dated 04.12.2024 passed in



Arbitration Case No. 343/2023 passed in connection with Award no.03 appertaining to Khata no. 39, Plot/Survey no.133 Area- 0.0451629 Hectare situated at village- Kishunpura, Thana no.77 Police Station & Circle Office Mushrakh, Sub Registry Office- Mushrakh, District- Saran at Chapra, stand acquired by National Highways Authority of India (NHAI) for Ram Janki Path Pariyojana NH-227A, may kindly be quashed as the same failed to take care for mandatory requirement enshrined U/S 11 of the Land Acquisition Act 1894.

(ii) the Award in question may kindly be treated as nonest for the reason that the Collector failed to apply the provision of law U/S 24(1)(a) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30 of 2013, herein after referred as the Act of 2013) while preparing the award in question.

(iii) the Award no.03 a pertaining to



Khata no. 39, Plot/Survey no.133 Area- 0.0451629 Hectare situated at village- Kishunpura, Thana no.77 Police Station & Circle Office Mushrakh, Sub Registry Office- Mushrakh, District-Saran at Chapra has acquired by National Highways Authority of India (NHAI) for Ram Janki Path Pariyojana NH-227A, for which Award No.03 prepared, may kindly be quashed as the same fail to take care for the marketed of the land in question which is self-acquired (purchased) land of the petitioner through Sale Deed dated 15.01.2019 in Rs.4,00,000/- (Four Lakhs) Rupees only.

(iv) the competent authority or the arbitrator may kindly directed to determine the compensation amount, with regard to land in question while consideration the market value of the land, available on the date of publication of the notification U/S 3G (7) of the National Highway Act 1956.

(v) alternatively the answering respondent may kindly be allowed the



actual/payable compensation with regard to the land in question in favor of the petitioner while taking care of all the reasonable question which are having sanction of law as well as may be guiding the situation like factor for present one.

(vi) any other relief or reliefs also may kindly be allowed for which the petitioner be found entitle in the opinion of this Hon'ble Court.”

3. After some argument, learned counsel for the petitioner submits that for changing the category, he shall be taking appropriate legal remedy. However, the amount which the respondents have already decided by passing an award, he may be allowed to receive the same under protest.

4. Learned counsel for ‘the NHAI’ submits that if the petitioner prefers proper petition/documents/credentials before appropriate authority, the District Land Acquisition Officer, Saran at Chapra, the same shall be considered.

5. In that background, the writ petition is disposed of allowing the petitioner to approach the appropriate authority/court so far as the change of category is concerned regarding payment of the award is concerned, as recorded



above, he has to present all the credentials/documents for the satisfaction of the Revenue Authorities so that the the appropriate payment is made, at an earliest preferably by the end of this year.

(Rajiv Roy, J)

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