

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3212 of 2014

Mrityunjay Kumar Son Of Late Suresh Prasad Singh Resident Of Village and
P.O. Maranchi, P.S. Maranchi District - Patna

... .. Petitioner/s

Versus

1. The Union Of India
2. The Secretary, Ministry of Surface Transport, Government of India
3. The Chief General Manager, Regional Office, National Highways Authority Of India, S.K. Puri, Patna
4. The Project Director, National Highways Authority of India, Sri Krishnapuri, Patna
5. The State of Bihar Through, The Principal Secretary Revenue and Land Reforms Department
6. The Principal Secretary, Revenue And Land Reforms Department, Government Of Bihar, Patna
7. The Land Acquisition Officer-Cum-Competent Authority, Patna District Patna
8. Arbitrator-cum-Divisional Commissioner, Patna Division, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajan, Advocate
For the State	:	Mr. Syed Iqbal Ahmad, SC-20
For the NHAI	:	Mr. Kumar Gautam, Advocate
	:	Ms. Priyanshu Kumari, Advocate
For the	:	

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 02-02-2026 Learned counsel for the petitioner prays for and is

allowed implead the Arbitrator-cum-Divisional Commissioner,

Patna Division, Patna as respondent no.8 in course of the day.

2. Heard Mr. V.R.P., Singh, learned counsel for the
petitioner, Mr. Kumar Gautam, representing the National
Highway Authority of India (henceforth for short 'the NHAI')



and Mr. Mahtab Alam, learned AC to SC-20.

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

“for issuance of proper writ to the respondents directing them to conduct a fresh measurement of lands of village Maranchi (District-Patna), which is being acquired for construction of N.H.-31 (Bakhtiyarpur-Khagaria Section) and publish the names of the persons having interest in those lands after quashing the portion of the Gazette Notification no. 985, New Delhi, Thursday May 2, 2013, Baisakh 12, 1935, published by Ministry of Surface Transport and Highways of the Government of India, in daily news paper namely 'Dainik Jagran' on 06.07.2013 (Annexure-1) under section 3A of the National Highways Act, relating to village Maranchi, alongwith the portion of Gazette Notification no. 2589, New Delhi, Thursday November 12, 2013, Kartika, 21, 1935 (Annexure-3) relating to Maranchi village, under section 3-D of the N.H. Act, published in News



Paper namely Dainik Jagran on 14.12.2013.”

4. At the outset, learned counsel for ‘the NHAI’ submits that if the petitioner has grievance, he can move before the Arbitrator-cum-Divisional Commissioner, Patna Division, Patna for redressal of the grievance.

5. Learned counsel for the petitioner submits that although, the petition was preferred before the District Land Acquisition Officer, Patna, in the given situation and since the power of arbitration has been vested with the Divisional Commissioner of the division, a fresh petition shall be preferred before the concerned respondents.

6. Learned counsel representing the respondents submits that if the same is preferred, it will be taken to its logical conclusion at an earliest.

7. In that background, the writ petition is disposed of allowing the petitioner to approach the concerned Arbitrator-cum-Divisional Commissioner, Patna Division, Patna in next eight weeks who shall be taking up the matter and after noticing/hearing the parties shall be passing an appropriate order at an earliest, preferably by the end of this year.

8. This order has been passed in the background of the statement made by learned counsel for the petitioner that a



petition was preferred before the District Land Acquisition Officer and not before the then Arbitrator-cum-Additional Collector and/or any order has been passed in this matter.

(Rajiv Roy, J)

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