

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7751 of 2026

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Mohan Himatsingka, Director Shankar Motors Pvt.Ltd. son of Late Ram Jivan Himmatsinka, resident of Jay Shree Complex, Nageshwar Colony, Boring Road, Post-GPO, Police Station-Budha Colony, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner-cum-Arbitrator, Purnea Division, Purnea.
3. The District Magistrate-cum-Collector, Kishanganj.
4. The Competent Authority-cum-District Land Acquisition Officer, Kishanganj.
5. The Circle Officer, Kishanganj, District-Kishanganj.
6. The National Highway Authority of India through its Project Director, House of Sri Sikandar Singh, Sahibaan Hata, Mahananda Colony, Janta Chowk, Purnia-854301.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Varun Krishna Singh, Advocate
For the Respondent/s	:	Mr. Binod Kumar Yadav, SC-18
For the NHAI	:	Dr. Maurya Vijay Chandra, Advocate
		Ms. Preety Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-07-2026 Heard Mr. Jitendra Prasad Singh, learned Senior Counsel for the petitioner and the State.

2. The present petition has been preferred for the following relief/s:

“A. For issuance of a writ in the nature of certiorari setting aside the letter dated 9.5.2026 contained in Memo No.1674 issued by the Competent Authority-cum-District Land Acquisition Officer, Kishanganj whereby to remove the he directed the petitioner structure/business premises from the acquired land in question within 48 hours failing which the District Administration will take appropriate action against you.

B. For direction to the Respondent not to demolish the business premises of the petitioner



situated over the acquired land till the final adjudication of the Arbitration case No.06 of 2026 filed Under Section 3G(5) of the National Highway Act, 1956 (in short N.H.Act) which is pending before the Divisional Commissioner, Purnea Division, Purnea.

C. For grant of any other relief/reliefs for which the petitioner is legally entitled in the facts and circumstances of the case.”

3. After some argument, learned counsel for the petitioner submits that it will suffice if the Arbitration Case No. 06 of 2026 is pending before the Arbitrator-Cum-Divisional Commissioner, Purnea division, Purnea is taken to its logical conclusion.

4. Learned State counsel as also learned counsel representing the NHAI have no objection to it.

5. In that background, the writ petition stands disposed of with a direction to the concerned Arbitrator-Cum-Divisional Commissioner, Purnea Division, Purnea to take the Arbitration Case No. 06 of 2026 to its logical conclusion, at an earliest, and latest by 31.12.2026.

(Rajiv Roy, J)

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