

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10131 of 2026

Vijay Kumar Son of Sri Gajendra Narayan Sah, Resident of Village Bishanpur
Arar, P.S. Arar, District- Madhepura.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Road Transport and Highway, Government of India.
2. The Project Manager, National High Authority, Madhepura.
3. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
4. The Additional Collector, Madhepura.
5. Deputy Development Commissioner, Madhepura.
6. The Competent Authority-cum-District Land Acquisition Officer, Madhepura.
7. The District Sub Registrar, Madhepura.
8. The Circle Officer, Madhepura.
9. The Executive Engineer, National Highway Authority of India, Purnea Division, Purnea.
10. Arbitrator cum Divisional Commissioner, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Chinmay Harsh Karn, Advocate Mr. Devendra Kumar, Advocate
For the Respondent/s	:	Mr. Vivek Prasad, GP-7 Mr. Sanjay Kumar, AC to GP-7 Ms. Roona, AC to GP-7
For the NHAI	:	Dr. Maurya Vijay Chandra, Advocate Ms. Preety Ranjan, Advocate
For the Resp No. 1	:	Mr. Praveen Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-07-2026 Mr. Chinmay Harsh Karn prays for and is allowed to

implead the Executive Engineer, National Highway Authority of

India, Purnea Division, Purnea and Arbitrator cum Divisional

Commissioner, Purnea as respondent nos. 9 and 10 in course of

the day.



2. Heard Mr. Chinmay Harsh Karn, learned counsel for the petitioner, the State as also the NHAI.

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

“(i) To issue an appropriate writ in the nature of direction/directions to the Respondent Competent Authority-cum-District Land Acquisition Officer, Madhepura for giving balance compensation to the Petitioner accepting the Land of the Petitioner as commercial not as residential as the land acquired under Village Madanpur, Thana No. 64 under Halka Madanpur, Block Madhepura and District Madhepura bearing Khata No. 272 (New)/34(Old), Khesra No. 1429 (New)/2036(Old), Area 0.1090 Acre and another bearing Khata No. 1172 (New)/458(Old), Khesra No. 1485, Area 0.0900 Acre totaling 0.1990 Acre under Land Acquisition for the construction of "NH106, Birpur Bihpur Section" (KM0.00 KM106.00) by the Land Acquisition Officer, Madhepura is Commercial Land.

(ii) To issue an appropriate writ in the



nature of direction or directions to the Respondent Authorities to consider the acquired land of the Petitioner as commercial and give the balance /differential compensation amount after calculating the compensation of the land accepting it as commercial and given compensation amount considering the land of the Petitioner as residential.

(iii) To issue any other writ/writs and/or direction /directions to the respondents as your Lordships may deem fit and proper in the facts and circumstances of the case.”

4. The matter relates to a piece of land details of which stands incorporated in the prayer portion itself and needs no repetition.

5. The land has been acquired for the construction of NH-106, Birpur-Bihpur Section and the petitioner is aggrieved by the categorization of the land.

6. The stand of the respondent is that once the award has been made and payment taken, the petitioner should approach the Arbitrator-cum-Divisional Commissioner, Purnea Division, Purnea for the redressal of the grievance.



7. In that background, the writ petition stands disposed of allowing the petitioner to approach the Arbitrator-cum-Divisional Commissioner, Purnea Division, Purnea (respondent no. 10) within a period of four weeks who shall be duty bound to look into the matter and pass an appropriate order, in accordance with law, at an earliest.

(Rajiv Roy, J)

Adnan/-

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