

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10559 of 2026

Mala Devi W/o Shyam Shankar Singh, 0081, Pragya Puram, Washundhara Nagari, Singhriya Khorabar @ Subabzar, PS Engineering college, District Gorakhpur, at present r/o village Sonahu PS Guthani, District Siwan.

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Ministry of Shipping Road Transport and Highways, Government of India, New Delhi.
2. The Secretary, Ministry of Shipping Road Transport and Highways, Government Of India, New Delhi.
3. The National Highway Authority Of India, Through its Chairman-Cum-Secretary, Ministry Of Shipping, Road Transport And Highways, Government Of India, New Delhi.
4. The Project Director, National Highway Authority of India, Patna, Bihar.
5. The State of Bihar, though principal secretary land and revenue department, government of Bihar, Patna.
6. The Principal Secretary, Land and revenue department, government of Bihar, Patna.
7. The District Magistrate, Siwan.
8. The District Land Acquisition Officer, District Siwan.
9. The Executive Engineer, Building construction department, District Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Chandra Kant, Advocate
For the State	:	Mr.Dhurjati Kumar Prasad, GP-14
For UOI	:	Mr. Chandan Kumar Singh, CGC
For the NHAI	:	Dr. Maurya Vijay Chandra, Advocate
		Ms. Preeti Ranjan, Advocate
		Mr. Rajesh Kumar Shandliya, Advocate
		Ms. Ankita Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-07-2026 Heard Mr. Chandra Kant, learned counsel for the petitioner and Mr. Dhurjati Kumar Prasad, learned State counsel as also Dr. Maurya Vijay Chandra, learned counsel for the National Highways of India (henceforth for short 'the NHAI').

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



(i) for issuance of writ of mandamus directing respondent to not demolish the house of petitioner mention in award no 8 unless the value of the house is assessed by the respondent no. 9, which has been acquired by the respondents for construction of Ram Janki road NH 227A;

(ii) for issuance of writ of mandamus directing respondent no. 8 and 9 to measure the double story building of petitioner for making proper assessment/value of house and then pay compensation of acquired house of petitioner after report of measurement by expert committee;

(iii) for issuance of writ of mandamus directing respondents to pay the double story building compensation amount as per the award no 8 (annexure-P/12C) to the petitioner after making proper valuation of the house of the petitioner;

(iv) for issuance of writ of mandamus directing respondents to pay interest on the



delay payment of award amount to the petitioner;

(v) for issuance of any other appropriate writ\writs, order/orders, direction /directions, for which petitioner may deemed entitled under the fact and circumstance of the case.

3. The land of the petitioner (khata no. 53, plot no. 107 and 108, area-2 katha) has been acquired for the construction of Ram Janki Path (NH 227A).

4. The contention is that the payment that has been made has not gone into account, the double storied building that is existing there and as such while he is loosing his residence has not even been paid the amount to which she was entitled to. He has attached different photograph to support the case of the petitioner.

5. Leaarned State counsel and learned counsel for 'the NHAI' on the other hand submit that the Award has been prepared and a sum of Rs.36,8300/- already stands transferred to the account of the petitioner and if she has any grievance, can very well move under section 3(G) of the National Highways Authority of India Act, 1956 (henceforth for short 'the Act')



before the Arbitrator cum Divisional Commissioner, Saran Division, Chapra.

6. Learned counsel for the petitioner submits that though she is ready to move before the Arbitrator cum Divisional Commissioner, Saran Division, Chapra, in the meantime, the demolition will take place as the respondents have speed up the work. Again the joint submissions of the respondent is/are that the petitioner have the right to photograph/videograph her entire property to prove her case before the Arbitrator cum Divisional Commissioner, Saran Division, Chapra that a proper residence was existing at the place.

7. The entire facts have been recorded, the petitioner is well advised to move before the Arbitrator cum Divisional Commissioner, Saran Division, Chapra in next four weeks who shall be noticing the parties and shall see to it that the matter is taken to its logical conclusion at an earliest.

8. With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

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