

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13574 of 2023

Shanti Devi Wife of Bal Krishan Singh, Resident of village- Tenduni Tola, Yogi Beer Dumranv Road, Bikramganj, P.S.- Bikramganj, District- Rohtas at Sasaram. At present- S-21/B- 367 Indra Kalyan Vihar, Okhla, Phase 1, New Delhi, South Delhi, Delhi- 110020

... .. Petitioner/s

Versus

1. The Eastern Dedicated Freight Corridor Corporation of India Pvt. Ltd. through Chief Project Manager, Mughalsarai, Varanasi
2. The Deputy Project Manager, Eastern Dedicated Freight Corridor Corporation of India Pvt. Ltd., Mughalsarai, Varanasi.
3. The State of Bihar through the Principal Secretary, Revenue Department Govt. of Bihar, Patna
4. The Arbitrator cum Commissioner Patna Division, Patna.
5. The District Magistrate, Rohtas at Sasaram.
6. The competent Authority cum District land Acquisition officer, District- Rohtas
7. The Circle Officer, Sasaram, District Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Singh, Adv. Mrs. Arti Kumari, Adv.
For the Respondent/s	:	Mr. Birendra Pd. Singh, AC to SC-19
For resp. nos. 1 & 2	:	Mr. Tiwari Shwetketu, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-04-2026 Heard Mrs. Arti Kumari, learned counsel for the
petitioner and the State.

2. The present application has been preferred:

*for issuance of writ in the nature of
mandamus or any other writ or writs, direction
or directions to the respondents authorities to
consider the case of the petitioner for grant and
to pay the award amount of the land of the
petitioner, considering the land of the petitioner
as Branch Road (Residential) along with interest
in accordance with law.*

3. The petitioner earlier owned a land under Nagar



Parishad- Sasaram which was acquired for railway over-bridge construction. The petitioner is aggrieved by the amount that was paid and accordingly, moved before the Arbitrator.

4. It was taken by the Arbitrator-cum-Divisional Commissioner, Patna in Rail Arbitration Case No. 23 of 2021 and recording that an award has been prepared and the payment has been made according to the category there which has been received by the petitioner. In that background, no case is made out, it was rejected (Annexure- 3 to the petition).

5. Aggrieved, the present petition.

6. The stand of the respondents is/are that against the said order passed by the Arbitrator, the petitioner ought to have moved before the Competent Civil Court under Arbitration and Conciliation Act, 1996.

7. This Court can only record that the petitioner has missed the bus. Without commenting further on the merit of the case and granting liberty to act in accordance with law, now that the payment has already been received by her, the writ petition is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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