**IN THE HIGH COURT OF JHARKHAND AT RANCHI**
**L.P.A. No. 371 of 2026**

1. Sheetal Kumar Bid, S/o Late Dhirendra Nath Bid
2. Arvind Kumar Bid, S/o Late Dhirendra Nath Bid

Both permanent residents of Chowk Bazar, Bundu, Near Kali Mandir, High School Road, PO & PS-Bundu, District-Ranchi

... ... Appellants

Versus

1. The State of Jharkhand
2. The Deputy Commissioner, Ranchi
3. The Additional Collector, Ranchi
4. The District Land Acquisition Officer, Ranchi
5. The Circle Officer, Bundu, Ranchi
6. The Regional Director, National Highway Authority of India, Rargaon Division, NH-33, having office at Ashok Nagar, PO-Ashok Nagar, PS-Argora, District-Ranchi... ... Respondents

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**CORAM: HON'BLE THE CHIEF JUSTICE**
**HON'BLE MR. JUSTICE RAJESH SHANKAR**

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For the Appellants : Mr. Sanjay Kumar Singh, Advocate
Mr. Virendra Kumar, Advocate
For the Respondent-State : Mrs. Neeharika Mazumdar, AC to AG
For the Respondent-NHAI : Mr. Amrit Raj Kisku, Advocate

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**Order No. 05** **Dated: 03.09.2026**

**1.** Heard Mr. Sanjay Kumar Singh, who appears along with Mr Virendra Kumar for the appellants, Mrs Neeharika Mazumdar, learned AC to AG for the State and Mr Amrit Raj Kisku for the NHAI.

**2.** The appellants challenge the learned Single Judge's order dated 16.02.2026 dismissing W.P.(C) No. 5843 of 2022 instituted by the appellants herein.

**3.** In W.P.(C) No. 5843 of 2022, the writ petitioners/appellants claimed that the respondents had acquired their plot described in paragraph 4 of the appeal memo but had not paid any compensation. The appellants therefore sought an

appropriate writ directing the respondents to make payments at the prevailing market rate, with interest, in respect of the acquisition of their plot.

**4.** The learned Single Judge dismissed the writ petition by the impugned order dated 16.02.2026 on the ground of delay and laches, and also because it involved adjudication of disputed questions of fact. Liberty was given to the appellants to ventilate their grievances before a competent forum, if so advised.

**5.** The respondent-NHAI, which is alleged to have acquired the appellants' plot, has filed a counter affidavit in this Letters Patent Appeal. In this, it is stated that the Central Government, by issuing a notification under Section 3A of the National Highways Act, 1956 on 27.08.2011, had indeed expressed its intention to acquire the appellants' plot. However, when the final notification issued under Section 3D was published on 09.08.2012, the appellants' plot was omitted.

**6.** In paragraph 7 of the counter-affidavit, it was pleaded that neither the Central Government nor the NHAI has acquired or taken possession of the appellants' plot, which is the subject matter of this petition/appeal. It is further pleaded that the notification issued under Section 3A lapses upon expiry of one year from the date of its publication, and therefore the initial notification dated 27.08.2011,

expressing an intention to acquire the appellants' plot, has already lapsed.

**7.** In paragraph-9 of the counter affidavit, it is pleaded that the stretch of NH-33 for which an intention was expressed to acquire the appellants' plot is complete and their plot has not been utilized. It is categorically stated that the possession of the appellants' plot continues in their possession.

**8.** In paragraph-10 of the counter affidavit, it is stated and submitted that the report dated 26.11.2025 of the Deputy Commissioner, Ranchi suggests that the appellants' plot is necessary to be acquired, since the NHAI had decided to acquire the said plot after following all the process of acquisition as per the law.

**9.** In paragraph-11, it is pleaded that the NHAI has already written to the District Land Acquisition Officer/CALA, Ranchi to take steps for acquisition of the appellants' plot by sending the necessary requisition to NHAI. This letter is dated 14.08.2026 and marked as Annexure-C to the counter affidavit.

**10.** In paragraph 12, it is stated and submitted that once the requisition for acquisition of the land is received, and subject to the consent of the Regional Office, the requisition will be sent to NHAI headquarters for final approval. On such approval, the notification issued under Section 3A would be

published, and within one year, the notification issued under Section 3D would be published, so that the appellants' plot vests with the Central Government.

**11.** The counter affidavit of the NHAI therefore clearly states that the appellants' plot has neither been acquired nor is in the possession of the NHAI. Rather, the NHAI insists that the possession of the appellants' plot continues to be with them.

**12.** In this case, the Deputy Commissioner, Ranchi, has made a report dated 26.11.2025 suggesting that the appellants' plot needs to be acquired by following the process of law.

**13.** The learned counsel for the appellants, however, submits that the possession of the plot is with the NHAI and not with the appellants. However, without prejudice, and based on instructions, learned counsel for the appellants states that directions could be issued to the NHAI to expedite the acquisition proceedings and payment of compensation to the appellants.

**14.** In paragraph 18 of the NHAI's counter affidavit, as well as in the other paragraphs, the NHAI itself agrees to acquire the appellants' plot by following all the legal procedures. The counter affidavit suggests that the notification issued under Section 3A was followed by the notification issued under Section 3D within a year of the publication of the 3A notification. This one-year period appears to be the maximum within which a notification is required to be issued

under Section 3D after the publication of a 3A notification. In that paragraph, there is a categorical statement that the NHAI shall acquire the appellants' plot within 6-7 months, and it is prayed that, until then, this appeal may be kept pending.

**15.** The learned counsel for the NHAI, on instructions, states that expeditious steps would be taken to acquire the appellants' plot.

**16.** Without going into the disputed question of possession, now that the NHAI is willing to proceed with the acquisition of the appellants' plot expeditiously, we see no good ground to keep this appeal pending.

**17.** By accepting the statement on behalf of the NHAI that the appellants' plot would be acquired expeditiously, we direct that all concerned must take expeditious steps for acquisition of the appellants' plot and payment of compensation to them in accordance with law.

**18.** Since paragraph 18 of the counter-affidavit refers to 6-7 months' time, we direct that all efforts be made to complete the acquisition process within 8 months from today. This will include not only the completion of the acquisition formalities but also the payment of compensation to the appellants or the lawful claimants in accordance with law. We refer to lawful claimants because we have not ascertained whether the plot in question belongs exclusively to the appellants

herein or to others as well.

**19.** However, if the acquisition and payment of compensation are not completed within the above period, the NHAI cannot back out of its statement on oath that NHAI is not in possession of the appellant's plot and therefore NHAI will not be entitled to the appellants' using the same.

**20.** The appeal is partly allowed, and the impugned order dated 16.02.2026 passed in W.P.(C) No. 5843 of 2022 is modified in the above terms. There shall be no order for costs.

**(M. S. Sonak, C.J.)**

**(Rajesh Shankar, J.)**

September 03, 2026
Manish/Ritesh
**N.A.F.R**

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