IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.7493 of 2026

Manmohan Sahu, son of Late Sardhan Sahu, resident of village Khora, P.O.-Khora, P.S. & District-Gumla, Jharkhand.

..... Petitioner.

-Versus-

1. Union of India through the Secretary of Department of Ministry of National Highways Authority of India (NHAI), Dwarka, New Delhi.
2. The Chief Secretary, Government of Jharkhand, Project Bhawan, Dhurwa, Ranchi.
3. Principal Secretary, Department of Land, Revenue, Registration and Land Reforms, Government of Jharkhand, Project Building, Dhurwa, Ranchi.
4. The Deputy Commissioner, Gumla.
5. The District Land Acquisition Officer, Gumla.
6. The Circle Officer, Gumla.
7. Executive Engineer of NHAI at Project Implementation Unit, Gokul Nagar, Jashpur Road, Gumla.
8. Project Director of NHAI at Project Implementation Unit, Gokul Nagar, Jashpur Road, Gumla.
9. The Additional Collector-cum-Arbitrator, Gumla.

..... Respondents.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. S.K. Vishwakarma, Advocate
For the State : Mr. Shubham Mishra, AC to SC(Mines)-II

Order No.03 **Date: 28.09.2026**

1. Learned counsel for the petitioner, prays for and is allowed to implead the Additional Collector-cum-Arbitrator under the National Highways Act, 1956 (hereinafter referred to as the "Act, 1956") as respondent no.9 in the present writ petition.

2. Necessary addition in cause title of the writ petition be made by the learned counsel for the petitioner in course of the day.

3. The present writ petition has been filed seeking a direction upon the respondents to pay compensation to the petitioner in respect of the structure standing over Khata No. 202, Plot No.

3990, situated at Mouza-Khera, District Gumla, which, according to the petitioner, was acquired under the provisions of the Act, 1956 under the Bharatmala Project for widening of NH-23 (Palma-Gumla Road) and during the course of the said acquisition proceedings, the said structure/house was demolished.

4. Learned counsel for the petitioner submits that under the Bharatmala Project, the aforesaid land of the petitioner, along with the house/structure standing thereon, was acquired by the respondent-authorities. Though the petitioner has been paid compensation for the said acquisition, however, no compensation has been paid for the house/structure standing over the said land. Aggrieved by the said situation, the petitioner, along with several others, represented before the different authorities, however, the same remained un-responded, which has compelled him to prefer the present writ petition.

5. Mr. Shubham Mishra, learned A.C. to S.C. (Mines)-II, appearing on behalf of the respondent-State, submits that the petitioner has an efficacious/statutory remedy under Section 3G(5) of the Act, 1956. Hence, the present writ petition may not be entertained at this stage.

6. Heard learned counsel for the parties and perused the materials available on record.

7. The grievance of the petitioner is that he has not been paid compensation for acquisition of the structure standing over the

concerned land. The further case of the petitioner is that the said structure was demolished during the acquisition proceedings on 30th May, 2023.

8. Since the petitioner's contention is that he has already been paid compensation for the land, but is yet to be paid compensation for the structure standing thereon, this Court is of the view that the petitioner has an efficacious/statutory remedy to take recourse of Section 3G(5) of the Act, 1956.

9. Accordingly, the petitioner is given liberty to file an application invoking Section 3G(5) of the Act, 1956, before the respondent no. 9 within one month from today. On receipt of the said application, the said respondent, after calling for a report from the offices of respondent nos. 5 and 8 and on conducting an inquiry, if so required, shall take an appropriate and informed decision in accordance with law within two months thereafter.

10. The writ petition is disposed of with aforesaid liberty and direction.

(Rajesh Shankar, J.)

Rohit/
28.09.2026
Uploaded on 29.09.2026