IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 8201 of 2026

Manju Devi ….. Petitioner

Versus

1. The State of Jharkhand, through the Chief Secretary, Ranchi
2. The Deputy Commissioner, Giridih
3. The Competent Authority-cum-District Land Acquisition Officer, Giridih
4. The Project Director, National Highways Authority of India, Ranchi
5. Uma Shankar Yadav
6. Om Prakash Yadav
7. Arun Kumar Yadav
8. Sanju Devi ….. Respondents

CORAM

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner: Mr. Yogendra Prasad, Advocate
For the State: Mr. Rishabh Kaushal, A.C to G.P-II
For the NHAI: Ms. Sweety Topno, Advocate

04/04.11.2026 The present writ petition has been filed for issuance of direction upon the respondent Nos. 2 to 4 to pay 1/5th share of compensation to the petitioner for acquisition of the land appertaining to Khata No. 54, Plot No. 5789/1, Village-Jarmune, P.S-Bogodar, P.S. No. 108, District-Giridih, measuring an area of 0.1039 Acre (out of area 42 Decimals), which has been acquired for expansion/widening of NH-100.

2. Learned counsel for the petitioner submits that Award No. 38 has been prepared for acquisition of the aforesaid land in the name of the petitioner's brothers i.e. the respondent Nos. 5, 6 & 7. The petitioner and the respondent No.8 are the sisters of the awardees of Award No. 38 i.e. the respondent Nos. 5, 6 & 7. Hence, the petitioner and the respondent No.8 are also entitled for their proportionate share in the awarded amount. The petitioner represented the respondent No.3 in this regard, however, no action has been taken on the same, which has compelled her to prefer the present writ petition.

3. Ms. Sweety Topno, learned counsel appearing on behalf of the respondent-National Highways Authority of India (NHAI), submits that though the acquisition has been done under the provisions of the National Highways

Act, 1956 [hereinafter referred to as 'the Act, 1956'], however, the acquisition is not at the instance of the NHAI, rather by the National Highway Division of the Road Construction Department, Government of Jharkhand.

4. Mr. Rishabh Kaushal, learned A.C to G.P-II appearing on behalf of the respondent-State, submits that the aforesaid claim of the petitioner is required to be adjudicated by a competent Court under Section 3-H (4) of the Act, 1956.

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

6. The petitioner claims that she and the respondent No.8 are the sisters of the respondent Nos. 5, 6 & 7, who are the awardees under Award No. 38 prepared for acquisition of their land for expansion/widening of NH-100. The petitioner is therefore seeking 1/5th share in the awarded amount. She has also claimed the said compensation by filing an objection on 01.07.2026, a copy of which has been annexed as Annexure-4 to the writ petition.

7. This Court is of the view that the aforesaid claim has to be adjudicated by the competent authority under Section 3-H (4) of the Act, 1956. Hence, the respondent No.3 is directed to refer the present matter to the Principal Civil Court of Original Jurisdiction, within the limits of whose jurisdiction the land is situated. The said exercise shall be completed by the respondent No.3 within four weeks from the date of receipt/production of a copy of this order.

8. The present writ petition is accordingly disposed of with the aforesaid observation and direction.

Satish/- (RAJESH SHANKAR, J)