

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3020 of 2022

Vikas Kumar (NH-119D-4L Aurangabad- Darbhanga PKG- I, II, III and IV)
Son of Late Baleshwar Sharma Resident of Road No. 25A, Rajiv Nagar, P.S.-
Rajiv Nagar, District-Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Secreary, Department of Ministry of Road Transport and Highway Authority of Inida, New Delhi.
2. The Secreary, Department of Ministry of Road Transport and Highway Authority of India, New Delhi.
3. The National Highway Authority through its Chairman.
4. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
5. The District Magistrate, Gaya.
6. The District Magistrate, Jehanabad.
7. The District Magistrate, Nalanda.
8. The District Magistrate, Patna.
9. The District Magistrate, Vaishali.
10. The District Magistrate, Samastipur.
11. The District Magistrate, Darbhanga.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 3340 of 2026

National Highways Authority of India through Project Director PIU Patna,
with its office at Project Implementation Unit, Patna, Shivpuram, Sainik
Colony, Near Hanuman Mandir, Gola Road, Danapur, Patna- 801503.

... .. Petitioner/s

Versus

1. The Bihar State Minorities Commission through its Chairman, Add- 6/South Baily Road, Patna- 800001, Bihar, Dist.- Patna.
2. The State of Bihar, through the Chief Secretary, Government of Bihar, Main Secretariat, Patna, Bihar- 800015, Dist.- Patna.
3. The District Magistrate, Samastipur, Dist.- Samastipur.
4. The Union of India, through its Secretary, Ministry of Road Transport and Highways (MORT and H), New Delhi.

... .. Respondent/s

Appearance :



(In Civil Writ Jurisdiction Case No. 3020 of 2022)

For the Petitioner/s : Mr. Vikas Kumar (In Person)
 For the State : Mr. Anjani Kumar, AAG-4
 Mr. Alok Kumar Rahi, Advocate
 For the Respondent/s : Dr. K.N.Singh, Sr. Advocate
 Mr. Maurya Vijay Chandra, Advocate
 Mr. Gaurav Govinda, Advocate
 Mr. Shivaditya Dhari Sinha, Advocate
 Ms. Preety Ranjan, Advocate
 Mr. Abhinav, Advocate

(In Civil Writ Jurisdiction Case No. 3340 of 2026)

For the Petitioner/s : Mr. Gaurav Govinda, Advocate
 Mr. Maurya Vijay Chandra, Advocate
 For the Respondent/s : Mr. Addl. Advocate General (12)
 Mr. Arun Kumar Bhagat, AC to AAG-12

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

29 23-03-2026 The learned AAG-4 placed the order dated 26.02.2026 and submitted that necessary instruction has already been imparted to the District Magistrate, Samastipur and police protection has been provided to the NHAI authorities to carry out the execution of the work. He further submitted that the order passed by the Bihar Waqf Board Tribunal which was *sub-judice* before this Court in M.A. No. 795 of 2025 has been disposed off in the meantime vide order dated 17.03.2026 and the order of the Waqf Board has already been set aside.

2. The learned counsel for the NHAI has filed the supplementary counter affidavit wherein it is stated as follows:-

“3. That the brief detail of the Package-III and Package-IV is mentioned herein below:

S.No.	Project	Tota	Com	Agenc	Appoi	Schedule	Likely	Physic
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	Name	Length (km)	Completed Length	Company Name	Contracted Date	Actual project completion Date	Actual completion date	Actual Progress (%)
1.	PKG-III of Amas Darbhanga NH 119D	47.000	5.66 Km	M/s Megha Enterprises	15.02.2023	14.02.2025	07.03.2027	30.95%
2.	PKG-IV of Amas Darbhanga NH 119D	42.210	8.9 km	M/s Aneeka Expressway Pvt. Ltd.	11.03.2024	10.03.2026	16.05.2027	23.01%

A. Hindrances due to Land Acquisition & disbursement of compensation :

Particulars	Vaishali	Samastipur	Samastipur	Darbhangha
	PKG-III	PKG-III	PKG-IV	PKG-IV
Total Hindrance (length in meter)	150	1785	1120	415

4. That it is submitted that the compensation amount disbursed till 18.03.2026 among the raiyats against the amount deposited by the NHAI is mentioned herein below:

S.No.	Particulars	PKG-III	PKG-IV
1.	Amount Deposited by NHAI	589.42cr	427.44cr
2.	Amount Disbursed by CALA	498.35cr	370.12cr

5. That it is submitted that the district wise compensation disbursement in the project is mentioned herein below:

S. No.	Particulars	Vaishali	Samastipur		Darbhangha
		PKG-III	PKG-III	PKG-IV	PKG-IV
1.	Amount	335.60cr	254.12cr	188.30cr	239.14cr



	Deposited by NHAI				
2.	Amount Disbursed by CALA	310.70cr	187.65cr	157.82cr	212.3cr

”

3. Even though in paragraph no. 3 of the counter affidavit, it has been stated that there are hindrances due to land acquisition and disbursement of compensation, but in each of the district it is not specified regarding the nature of hindrances and the cause of such hindrances.

4. The learned Senior Counsel appearing for the NHAI submits that on the next date he will clarify all these aspects, however he points out from paragraph no. 4 and 5 that the disbursement amount to the land losers appears to be at a lower side and it needs to be expedited.

5. The learned AAG-4 submits that by the next date he will apprise this Court about the steps taken for expediting the disbursement of the compensation amount.

6. In view of such submission, list this matter on 20.04.2026.

7. In the meantime, if specific hindrances are brought to the notice by the NHAI to the district administration, it is expected that the same shall be addressed at an earliest. After going through the counter affidavit, since we find that in all the packages the physical progress of the work is very slow, we



expect that it should be expedited and on the next date the learned Senior Counsel shall apprise this Court about the development in that respect by way of an affidavit.

8. The concessionaire related to package I, II and III i.e. Megha Engineering Infrastructure Limited through its Managing Director, Unit No. 22, Technocrat Indl. Estate Balanagar, Hyderabad-500037, Telengana and concessionaire related to package no. IV i.e. Ram Kripal Singh Construction Pvt. Ltd. through Managing Director, Address : 702, 7th Floor, Panchwati Plaza, Kutchery Road, Ranchi, Jharkhand-834001 shall specifically apprise this Court by way of an affidavit the cause of slow progress and steps taken to expedite the progress.

CWJC No. 3340 of 2026

9. When the matter was taken up on 26.02.2026, it is brought to our notice by way of a supplementary affidavit that C.W.J.C. No. 10487 of 2021 has been dismissed vide order dated 19.02.2026, we observe that there cannot be an impediment on the part of the National Highway Authority to carry out the project in question.

10. In this writ petition the National Highway Authority have challenged the Memo No. 1797 dated 08.12.2025 issued by the Bihar State Minority Commission, Patna. In the said order the National Highway Authority has



been restrained for carrying out work in Mauza Rahimabad, Mohiuddinpur Rajwa, Shahpur Baghauni, Bherokhada and Chak Ashraf Anchal Tajpur in the District of Samastipur on National Highway No. 119D.

11. On perusal of the aforesaid order passed by the Bihar State Minority Commission, Patna which is annexed to the writ petition as Annexure 1, we find that the concerned authority put a restriction regarding the progress of work in the aforesaid areas, till the disposal of C.W.J.C. No. 1087 of 2021.

12. Since the aforesaid writ petition has already been disposed off, the impugned order dated 08.12.2025 of the Bihar State Minorities Commission cannot be a hurdle for the petitioner to carry out the project work in the aforesaid mauzas in the District Samastipur on NH-119D; accordingly the writ petition is disposed off.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

supratim/-

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