

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Filing No. C.M.P. No. 6609 of 2025

Kalyan Prasad, aged about 57 years, son of Ravi Shankar Prasad, resident of Singhrawan, P.O. and P.S. Chauparan, District-Hazaribagh presently residing at P/1, Pragatinagar, Baridih Basti, Baridih, P.O. and P.S. Sidhgora, District-East Singhbhum.

..... **Petitioner(s)**

Vrs.

- 1.The State of Jharkhand;
- 2.District Land Acquisition Officer, Hazaribag, P.O. and P.S. Hazaribag, District- Hazaribag;
- 3.Deputy Commissioner, Hazaribag, P.O. and P.S. Hazaribag, District-Hazaribag.

..... **Opposite Party(s)**

.....

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioner(s) : Mr. Vikas Kumar, Advocate

For the Opposite Party(s) : A.C to AAG-III

04/16.02.2026 The present C.M.P. has been filed for quashing of order dated 29.03.2023 passed in L.A. Case No. 478 of 2021 by the learned Principal District & Sessions Judge-cum-Authority Land Acquisition, Rehabilitation and Resettlement, Hazaribag (Annexure-1) whereby and whereunder the record of L.A. Case has been returned to the Land Acquisition Officer, Hazaribag.

2. The description of land is as follows:

Land of Khata No. 67, Plot No. 1655, area 0.2 acres of village Singhrawan, P.S. Chauparan, Thana No. 170, District- Hazaribag.

3. It appears that the award has been disputed and the reference has been made under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, although it should be under Section 3H(4) of the National Highways Act, 1956.

4. Thus, mere on the basis of the nomenclature adjudication has

been refused by the Principal District & Sessions Judge-cum-Authority, Land Acquisition, Rehabilitation and Resettlement, Hazaribag vide order dated 29.03.2023 passed in L.A. Case No. 478 of 2021.

5. In view of above technical objection raised by the Land Acquisition adjudicator, this Court finds not to dwell on the other issues and factual matrix of the case.

6. Law is settled that merely due to wrong mentioning of the section, adjudication cannot be refused when it is otherwise available to the parties.

7. In that view of the matter, the present CMP is allowed directing the District Land Acquisition Officer, Hazaribag to refer the dispute under Section 3H(4) of the National Highways Act, 1956 and the concerned Civil Court is directed to adjudicate the right of the parties after following due process.

(Rajesh Kumar, J.)

16.02.2026
A. Mohanty
Uploaded
____/____/2026