

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8310 of 2015

- =====
1. Raj Kumar Jha, son of Trilokinath Jha, Resident of village Balra, P.S. Biraul, District Darbhanga
 2. Laxmi Mahto, son of Late Kishori Mahto, resident of village Kothram, P.S. Jamalpur, District Darbhanga
 3. Shanti Bhushan, son of Shri Sunil Jha, resident of village Ramnagar Tola, Supaul, P.S. Biraul, District Darbhanga
 4. Ramchandra Mukhiya, son of Late Siyaram Mukhiya, Resident of village Punach, P.S. Jamalpur, District Darbhanga
 5. Lalan Yadav, son of late Bhola Yadav, Resident of village Balra, P.S. Biraul, District Darbhanga

.... Petitioners

Versus

1. The State of Bihar
2. The Principal Secretary, Road Construction Department, Government of Bihar, Patna
3. The Managing Director, Bihar Rajya Pul Nirman Nigam Limited, Patna
4. The Collector, Darbhanga
5. The District Land Acquisition Officer, Darbhanga
6. The Sub-Divisional Officer, Biraul, Darbhanga
7. The Senior Project Engineer, Bihar Rajya Pul Nirman Nigam Limited, Camp Baluaha Ghat, Koshi Pul Baluaha, Saharsa
8. The Senior Design Engineer, Bihar Rajya Pul Nirman Nigam Limited, Camp Baluaha Ghat, Koshi Pul Baluaha, Saharsa
9. The Station House Officer, Biraul Police Station, District Darbhanga

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Jagannath Singh, Advocate
For the State : Mr. Ashutosh Singh, AC to SC-1
For the Corporation : Mr. Vikas Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

ORAL JUDGMENT

Date: 08-06-2015

Heard learned counsel for the petitioners, the State and the counsel for the State Bridge Construction Corporation, the agency who is laying road in question.

2. It is submitted on behalf of the petitioners that they are raiyats of the different plots mentioned in paragraph 5 of the writ

petition over which a road is being laid but till date petitioners have not been paid compensation.

3. It appears from letter No. 237 dated 31.10.2013, Annexure-5 of the Senior Project Engineer of the Bridge Construction Corporation that proceedings for acquisition of the lands in question was initiated earlier but till the date of issue of letter dated 31.10.2013 the same has not been completed though a sum of Rs. 16 crores and odd has been made available for payment of compensation to the land owners on whose land the road is being laid.

4. Learned counsel for the petitioners states that notwithstanding the contents of letter dated 31.10.2013, Annexure-5 till date they have neither been paid compensation nor given any notice to receive the compensation amount.

5. Let petitioners represent annexing a copy of this order before the District Magistrate, Darbhanga, who shall verify from the Revenue Records as also the records of the Land Acquisition Officer that the acquisition proceedings for acquisition of the lands in question have been completed or not and the land owners paid their compensation.

6. In the event land acquisition proceedings have not been completed and land owners have not been paid compensation amount or compensation amount has not been deposited for payment to the

land owners then the road laid over the lands in question be removed.

7. Learned District Magistrate, Darbhanga shall be obliged to dispose of the representation of the petitioner within reasonable time, not exceeding one month from the date of receipt of the representation annexing a copy of this order.

8. The writ petition is, accordingly, disposed of.

(V.N. Sinha, J.)

Arjun/-

U			
---	--	--	--