

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13890 of 2011

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1. Indradeo Verma S/O Late Mahabir Verma, R/O Vill.-Rohiyar, P.S.-Chautham, Distt.-Khagaria.
 2. Dinesh Yadav S/O Baso Sah, R/O Vill.-Rohiyar, P.S.-Chautham, Distt.-Khagaria.
 3. Surendra Sah S/O Ghaghan Sah, R/O Vill.-Rohiyar, P.S.-Chautham, Distt.-Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary-Cum-Commissioner, Revenue and Land Reforms Deptt., Patna.
2. The Commissioner, Munger Division, Munger.
3. The District Land Acquisition Officer, Khagaria.
4. The Collector, Khagaria.
5. The Additional Collector, Khagaria.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Respondent/s : Mr. Krishna Chandra, AC to AG

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 03-09-2015 Heard the parties.

The petitioners are aggrieved by the notification dated 29.04.2011 issued under the signature of Under Secretary of the Department of Revenue and Land Reforms (Land Acquisition Directorate), Bihar, Patna in terms of Section 6 of The Land Acquisition Act, 1894 making a declaration that the lands mentioned there in that notification are required for public purposes, which was communicated to the petitioners by letter dated 10.05.2011, as contained in Annexure-1 to the writ petition.

In the present case, a counter affidavit has been filed on behalf of the respondent State and in paragraph-16 of the aforesaid counter-affidavit it has been specifically stated that after complying with the provisions of The Land Acquisition Act, an award under Section 11 of The Land Acquisition Act was

prepared on 30.07.2012.

The facts stated in the aforesaid counter-affidavit have not been controverted by the learned counsel appearing on behalf of the petitioners by filing any rejoinder affidavit, though copy of the aforesaid counter-affidavit was served upon him way back in 2013.

In above view of the matter, this Court is of the opinion that the writ petition has become infructuous. No relief can be granted to the petitioners in the present writ petition in view of preparation of award way back on 30.07.2012. If the petitioners are at all aggrieved by preparation of award, they shall be at liberty to approach the appropriate forum/court for grant of appropriate relief under the provisions of The Land Acquisition Act, 1894 or any other law, which may be applicable in the facts of the present case.

The writ petition stands dismissed with the observations made above.

(Birendra Prasad Verma, J)

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