

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23854 of 2012

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Bhuvneshwar Prasad, Son of Late Yaduvansh Lal, Resident of Village -
Hardutta, P.S. - Amba and Distt. - Aurangabad

.... Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Department Of Land Revenue and Reform, Patna (Bihar)
2. The District Magistrate, Aurangabad
3. The Additional Collector, Aurangabad
4. The District Land Acquisition Officer, Aurangabad
5. The Circle Officer, Block Nabinagar, Aurangabad
6. The Chief Executive Officer, The Bhartiye Rail Bijlee Company Ltd., Site Officer Dalmianagar, P.S. Dehri And Distt. - Aurangabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma, Advocate
For the Respondent nos.1to5 : Mr.Ajay Kumar Sharma, AC to PAAG
For the Respondent no.6 : Mr. Anil Kumar Sinha, Advocate
Mr.Abhimanyu Deo, Advocate.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 30-10-2015 Heard the parties.

The petitioner had earlier moved this Court in CWJC No.18326 of 2010 raising a grievance that the lands belonging to him have been acquired for construction of the National Thermal Power Project at Nabinagar, Aurangabad, but compensation amount has not been paid to him. After considering the materials available on the record, a Bench of this Court, by an order dated 23.11.2010 passed in the aforesaid CWJC No.18326 of 2010 directed the petitioner to appear before the District Land Acquisition Officer, Aurangabad with the documents of his title regarding the lands in question, whereafter the claim of the petitioner was directed to be decided.

Learned counsel appearing on behalf of the petitioner

submits that, in the light of the aforesaid order dated 23.11.2010 (Annexure-2), the petitioner appeared before the respondent District Land Acquisition Officer, Aurangabad, whereafter notice was issued to him and the matter was considered, but finally by the impugned order, as contained in Annexure-8 to the writ petition, his claim has been rejected.

From reading of the impugned order, as contained in Annexure-8, it is apparent that the District Land Acquisition Officer examined all the materials produced by the parties in support of their claims regarding the lands in question. An enquiry was conducted and even local inspection was made by the District Land Acquisition Officer, Aurangabad, whereafter it was found that the petitioner has absolutely no right, title and possession over the lands in question claimed by him. Even Jamabandi was never created in his favour with respect to the lands in question. After recording all these findings, the claim of the petitioner has been rejected.

After having heard the parties at length and on consideration of the materials available on the record, this Court does not find any good ground to interfere with the impugned order passed by the District Land Acquisition Officer, Aurangabad in compliance of the order dated 23.11.2010 (Annexure-2) passed in CWJC No.18326 of 2010.

The writ petition is devoid of merits and is, accordingly, dismissed, but there shall be no order as to costs.

Arvind/-

(Birendra Prasad Verma, J)

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