

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.23697 of 2012**

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Krishnadeo Yadav S/O Sri Bhola Yadav, resident of Village- Thathari, P.O. Jalsen, P.S. Rudrapur, District- Madhubani

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna
3. The Principal Secretary, Department of Land Reforms, Government of Bihar, Patna
4. The Director, Land Acquisition, Government of Bihar, Patna
5. The Engineer-In-Chief, Water Resources Department, Govt. of Bihar, Patna
6. The Chief Engineer, West Kosi Canal Project, Darbhanga Division, Water Resources Department, Darbhanga
7. The Superintending Engineer, West Kosi Canal Project, Jhanjharpur Circle, Madhubani
8. The Executive Engineer, West Kosi Canal Project, Division- Khutouna, District- Madhubani
9. Assistant Engineer, West Kosi Canal Project, Sub Division- Khutouna, District- Madhubani
10. Junior Engineer, West Kosi Canal Project, Section- Khutouna, District- Madhubani
11. District Magistrate, Madhubani
12. District Land Acquisition Officer, Madhubani
13. Land Acquisition Officer, Kosi Project, Darbhanga

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Respondent/s : Mr. Dharendra Kumar, AC to AAG 10

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

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9      02-11-2015

Heard the parties.

2. The petitioner has approached this Court under Article 226 of the Constitution of India for a direction to the respondents for payment of adequate compensation to the petitioner for acquiring the lands belonging to him.

3. This matter was heard earlier by a Bench of this Court, and by a reasoned order dated 12.4.2013, the respondents were directed to pay the compensation amount to the petitioner in

accordance with law.

4. A counter affidavit on behalf of the respondent no. 13 was filed way back on 6<sup>th</sup> March, 2013. Now, a supplementary counter affidavit has been filed on behalf of the respondent no. 13, wherein it has been stated in paragraph 8 that the amount of compensation was calculated for the land belonging to the petitioner, which was acquired by the respondent-State, and after such calculation, Rs.1,45,236/- has been paid to the son of the petitioner on 27.09.2013. It has further been pleaded that now, the order dated 12.04.2013 of this Court has been fully complied with.

5. Learned counsel appearing on behalf of the petitioner has fairly conceded that no rejoinder affidavit has been filed on behalf of the petitioner disputing the aforesaid assertions made on behalf of the respondents.

6. In above view of the matter, this Court is of the opinion that, now, cause of action does not survive, as the amount of compensation has already been paid to the petitioner.

7. However, if the petitioner is still aggrieved by the quantum of compensation, then he shall be at liberty to approach the competent authority for grant of appropriate relief (s).

8. The writ petition stands finally disposed of with the observations made above.

**(Birendra Prasad Verma, J)**

Tahir/-

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