

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14533 of 2013

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Sunil Kumar Tiwary @ Sunil Tiwary Son of Late Sudarshan Tiwary,
Resident of Village - Kopa Kalan, P.S. - Naubatpur, District - Patna
..... Petitioner/s

Versus

1. The State of Bihar, through the Secretary Dept. of Revenue and Land Reforms, Bihar, Patna
 2. The Secretary, Department of Industry, Bihar, Patna
 3. The Collector, Patna
 4. The District Land Acquisition Officer, Patna
 5. The Sub-Divisional Officer, Danapur, Patna
 6. United Beverage Ltd. through its Director Mr. Kalyan Ganguly, U.B. Tower (U.B. City) Bittal Malya Road, Banglooru, KIarnataka.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra
Mr. Varun Kumar

For the Respondent No.1 to 5 : Mr. Krishna Chandra, AC to AG

For the Respondent No. 6 : Mr. Satyabir Bharti
Mr. Alok Chandra

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

7 04-12-2015 Heard the parties.

The only grievance of the petitioner in the present writ petition filed under Article 226 of the Constitution of India is that the petitioner has not been paid the adequate amount of compensation for the lands already acquired by the State of Bihar, though in similar circumstances other land owners have been paid higher amount of compensation.

The learned counsel appearing on behalf of the petitioner submits that a direction may be issued to the respondents for giving equal treatment to the petitioner for making the payment of higher amount of compensation for the lands already acquired.

This matter was heard earlier by different Benches and in the light of the previous orders, a counter-affidavit has been



filed today itself on behalf of the respondent no. 3 and 4 after service of its copy upon the learned counsel appearing on behalf of the petitioner, besides the learned counsel appearing on behalf of the respondent no.6. In the aforesaid counter-affidavit it has been stated that the claims of the petitioner for payment of higher amount of compensation is under consideration by the State Government. It has further been stated in paragraph-9 of the aforesaid counter-affidavit that determination for payment of compensation in terms of Section 24 of the new Act, 2013 has already been made and the same has been sent for approval to the competent authority by letter dated 11.09.2014 and once the approval is granted, then follow up action shall be taken for payment of such compensation.

For better appreciation, paragraph-9 of the aforesaid counter-affidavit is reproduced herein below:

“That it is further stated that the land acquisition proceedings is on the verge of completion and the estimates for determining compensation to the land owners in the light of the suitable provision u/s 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 has been revised and the same has been sent for approval to the competent authority vide letter no. 1451 dated 11.09.14 and award shall be published as and when the sanction of the competent authority is received.”

In view of the averments made in the aforesaid counter-affidavit, learned counsel appearing on behalf of the petitioner seeks permission to withdraw the present writ petition with a liberty that if the grievance of the petitioner is not redressed within a reasonable period of time, then he shall be at liberty to approach this Court or any other appropriate court/ forum for redressal of

his grievances.

Permission is accorded.

The writ petition stands disposed of as withdrawn with the liberty aforesaid.

It goes without saying that the respondents shall take prompt follow up action in terms of the averments made in the aforesaid counter-affidavit.

(Birendra Prasad Verma, J)

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