

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16828 of 2011

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1. Brajesh Nandan Prasad Singh @ Tata Babu
2. Mahesh Nandan Prasad Singh @ Chandan Babu
Both sons of Late Hari Nandan Prasad Singh, Resident of Nandan Bhawan,
Belan Bazar, P.S.- Kashim Bazar, P.O.- Munger, District- Munger

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Munger
3. The District Land Acquisition Officer, Munger
4. The Managing Director, Bihar State Jal Parishad, Bihar, Patna
5. The Executive Engineer, Biswas Board, Munger

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Respondent/s : Mr. Ratna Deep Prasad, AC to AAG-11

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 03-09-2015 Heard the parties.

The petitioners are aggrieved by the order dated 12.01.2010 passed by the District Collector, Munger communicated to the petitioners vide memo no.10 dated 13.01.2010, as contained in Annexure-4 to the writ petition, whereby the matter has been directed to be referred to the Civil Court in terms of Section 18 and 30 of the Land Acquisition Act, 1894.

In fact, the petitioners had moved earlier before this Court in CWJC No.13486 of 2009 raising a grievance against the preparation of award dated 05.10.1989 by the respondent District Land Acquisition Officer for acquisition of the lands in question. The aforesaid writ petition was finally disposed of by an order dated 26.11.2009, as contained in Annexure-3, whereby the petitioners were directed to file a representation before the District

Collector, Munger. In the light of the observations of this Court, the District Collector, Munger has passed the impugned order, as contained in Annexure-4.

Admittedly, in the light of the aforesaid order, the matter is pending before the Civil Court in terms of Section 18 as also Section 30 of the Land Acquisition Act, 1894.

If the petitioner has any claim with respect to the lands in question, then he will be well advised to appear in the aforesaid case before the Civil Court with all supporting documents, whereafter his claim shall be appropriately decided.

The writ petition stands dismissed, but with the observations and directions made above.

(Birendra Prasad Verma, J)

Arvind/-

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