

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.424 of 2014

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1. Sadanand Paswan, Son Of Late Naurangi Paswan, Resident Of Village - Kharagvara, Post Office - Sarma, Police Station - Ramgarh, District - Lakhisarai
 2. Sagar Paswan, Son Of Baleshwar Paswan, Resident Of Village - Kharagvara, Post Office - Sarma, Police Station - Ramgarh, District - Lakhisarai
 3. Yogendra Paswan, Son Of Late Naurangi Paswan, Resident Of Village - Kharagvara, Post Office - Sarma, Police Station - Ramgarh, District - Lakhisarai

.... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Lakhisarai
3. The District Land Acquisition Officer, Lakhisarai
4. The Additional Collector (Revenue), Lakhisarai
5. The Circle Officer, Block - Lakhisarai, District - Lakhisarai
6. The Revenue Karamchari, Mauza-Kharagvara, Block - Lakhisarai, District - Lakhisarai
7. Ashok Yadav, son of Arjun Yadav, resident of village-Kharagvara, Post Office-Sarma, Police Station-Ramgarh Chowk, District-Lakhisarai.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Digvijay Pratap Singh
For the Respondent nos.1to6	:	Mr. Lalan Kumar, AC to GP-23
For the Respondent no.7	:	Mr.Ambika Bhagat, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 22-04-2016

Heard the parties.

The petitioners are aggrieved by the order dated 27.11.2012 passed by the respondent District Land Acquisition Officer, Lakhisarai in Land Acquisition Case No.1 of 2010-11/105, as contained in Annexure-5.

From the pleadings of the parties, it is apparent that there are serious dispute of right, title and possession between the petitioners and the respondent no.7 with respect to the lands in question, which are/was subject matter of acquisition in the

aforesaid Land Acquisition Case.

In view of the nature of dispute/claims raised by the parties regarding lands in question, this Court is of the opinion that such dispute can be effectively decided by the Civil Court of competent jurisdiction after examining the evidence/materials produced by the parties in support of their respective claims, but such dispute cannot be effectively decided by the respondent District Land Acquisition Officer, Lakhisarai.

In above view of the matter, the petitioners as also the private respondent no.7 are hereby directed to appear before the respondent District Land Acquisition Officer, Lakhisarai within a period of one month from today with a certified copy of the present order, whereafter the respondent District Land Acquisition Officer, Lakhisarai either himself or any other competent authority of the respondent State shall pass an appropriate order for referring the dispute to the Civil Court. After the dispute is adjudicated upon by the Civil Court, the award amount shall be paid to the successful party.

It is clarified that till the matter is finally decided by the Civil Court, the award amount shall not be paid either to the petitioners or to the respondent no.7.

With the aforesaid observations and directions, the writ petition stands finally disposed of.

(Birendra Prasad Verma, J)

Arvind/-

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