

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2362 of 2014

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Ram Swaroop Rajbanshi

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh

For the Respondent/s : Mr. Ga-4 Ashok Priyadarshi

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 06-01-2016 Heard the learned counsel, Mr. Jitendra Prasad Singh, for the petitioner and the learned counsel, Mr. Mani Madhukar, A.C. to G.A.4, on behalf of the State-respondent No.1.

It appears that reference under Section 30 of Land Acquisition Act is pending before the Court below. In that case, the petitioners filed application under Section 151 CPC for appointment of pleader commissioner to ascertain construction etc., made on the lands acquired by the State of Bihar so that proper valuation may be fixed. The Court below by the impugned order has rejected the said application stating that the scope under Section 30 is to ascertain only as to whom the compensation shall be paid and if paid, to what extent / share.

Perused the order passed by the Court below. Admittedly, the reference has been made under Section 30 of the Land Acquisition Act and, therefore, the Court below has rightly

rejected the application. Thus, the same cannot be interfered with in supervisory jurisdiction.

Accordingly, this writ application is dismissed.

(Mungeshwar Sahoo, J)

Sanjeev/-

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