

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8423 of 2010

=====

1. Renu Devi W/O Paras Kumar Lal R/O Vill Hasua, P.O.Hasua, Distt-Nawada
2. Reena Devi W/O Jiwan Kumar R/O Vill Hasua, P.O.Hasua, Distt-Nawada

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director , Land Acquisition Revenue Department New Secretariat, Patna, Bihar
3. The District Magistrate-Cum-Collector Nawadah, Distt-Nawadah
4. The Deputy Collector , Land Reforms Nawadah, Distt-Nawadah
5. The District Land Acquisition Officer Nawadah, Distt-Nawadah
6. The Circle Officer Nawadah, Distt-Nawadah

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Respondent/s : Mr.Ajay Kumar Sharma, AC to PAAG

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

11 21-07-2016

Heard the parties.

2. The petitioners have filed the present writ petition under Article 226 of the Constitution of India seeking a direction to the respondents to make payment of balance amount of compensation and other lawful dues for acquisition of lands of the petitioners for construction of Rajgir-Hisua Railway Line in the year 2002.

3. In compliance of the order of this Court, a supplementary counter affidavit has been filed on behalf of the respondent nos. 3 to 6, wherein it has been stated in paragraphs 6 and 7 that now the petitioners have been paid the entire amount of compensation to the tune of Rs.13,38,139.00, which, according to them, was the amount of compensation payable to the petitioners under the provisions of The Right to Fair Compensation and Transparency in the Land Acquisition, Rehabilitation and

Resettlement Act, 2013 (in short, “the Act, 2013”).

4. The learned counsel appearing on behalf of the petitioners, on oral instructions, does not dispute the aforesaid assertion made in the aforesaid supplementary counter affidavit. However, he seeks leave of this Court to raise the issue of quantum of compensation before the appropriate Forum under the provisions of the Act, 2013.

5. In the aforesaid factual matrices, the present writ petition is disposed of as infructuous, as payment of compensation has already been made to the petitioners, but liberty is granted to the petitioners to approach the prescribed authority under the provisions of the Act, 2013 for enhancement of the amount of compensation.

6. It goes without saying that if such a petition is filed on behalf of the petitioners, the same shall be considered and decided in accordance with law.

(Birendra Prasad Verma, J)

Tahir/-

U			
---	--	--	--