

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.2165 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 7645 of 2015**

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1. Nitya Nand Singh S/o late Shaligram Singh
 2. Surendra Prasad Singh S/o late Ganga Prasad Singh
 3. Manju Devi @ Manjula Devi Wife of Late Shyamal Kishore Singh
All resident of village Bhatgama, P.S. Chausa, District Madhepura.

.... Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Collector, Madhepura.
3. The Land Acquisition Officer, Madhepura.
4. The Circle Officer, Chausa, District Madhepura.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Hare Krishna Prasad, Advocate.

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 21-06-2016

The challenge in the present Letters Patent Appeal is to an order dated 24.08.2015 passed by the learned single Bench in CWJC No. 7645 of 2015, whereby the writ petition filed by the petitioners against inadequate amount of compensation was dismissed.

The grievance of the appellants is that they have been awarded inadequate compensation, whereas other land owners have been awarded compensation of Rs. 32,000/- per decimal. Therefore, the appellants are entitled to the same amount of compensation as is

paid to the other land owners.

The remedy against the inadequate amount of compensation is provided under the Land Acquisition Act, 1894 (hereinafter referred to as the ‘Act’). The appellants have a remedy to seek relief under Section 18 of the Act or to seek parity with the amount of compensation awarded to the other land owners under Section 28A of the Act.

However, the writ petition to claim compensation is not an appropriate remedy. Consequently, we do not find any error in the order passed by the learned single Bench.

It shall be open to the appellants to seek remedy in accordance with law from an appropriate forum.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

Sujit/P.Kumar

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