

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No. 1910 of 2015

In
Civil Writ Jurisdiction Case No. 799 of 2013

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Shashi Kant Pandey Son of Late Chandra Mohan Pandey Resident of
Village - Sikandarpur, P.O. - Katesar, P.S. - Bihta, District - Patna

.... Petitioner

Versus

1. The State of Bihar
2. Sri Abhay Kumar Singh, The District Magistrate, Patna
3. Md. Anaul Haque Siddiqui, the District Land Acquisition Officer, Patna
4. Sri Raghubir Prasad, the Circle Officer, Bihta, District - Patna

.... Opp. Parties

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Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha

For the Opp. Party/s : AC to Addl. Advocate General - 2

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 17-02-2016 The present petition has been filed with a prayer to

initiate contempt proceeding against opposite parties on an

allegation of intentional disobedience to an order dated

21-01-2013 passed in C.W.J.C. No. 799 of 2013. The order of the

writ court is quoted here-in-below:

**“Heard Sri Ajay Thakur, learned
counsel, who was assisted by Md. Imteyaz Ahmad,
learned counsel for the petitioner and Sri Krishna
Chandra, learned A.C. to Advocate General, Bihar.**

**In the present writ petition, the
petitioner has prayed for directing respondents to
pay the fixed compensation to the petitioner in
respect of Land Acquisition Case No.1/11-12
appertaining to Khata No.653, Khesra No.527,
Area 34 decimals situated over Thana No.51, Tauzi
No.3021 at Mauza Sikandarpur, Survey Thana-
Maner in the district of Patna.**

**It was submitted by learned counsel for
the petitioner that in respect of compensation
amount, the petitioner had filed a representation
before the Land Acquisition Officer, Patna vide**

Annexure-5 to the writ petition.

Without going into merit of the case, the Court of the opinion that the writ petition can be disposed of directing the Respondent no.3 / Land Acquisition Officer, Patna to consider the representation of the petitioner i.e. Annexure-5 to the writ petition and take a final decision in the matter within a period of three months from the date of receipt/production of a copy of this order.

With above observation and direction, the writ petition stands disposed of.”

In this case, a show cause has been filed on behalf of the opposite party no. 2 & 3 i.e. District Magistrate, Patna and District Land Acquisition Officer, Patna. A plea has been taken that 80% of the compensation amount was received unauthorisedly by one Sunaina Devi and step has been taken to recover the said amount i.e. total amount of Rs. 20,79,453/- (twenty lakh seventy nine thousand four hundred fifty three) and even certificate proceeding has been initiated. The District Land Acquisition Officer has also brought on record an order dated 18-10-2013, vide **Annexure – B** to the show cause, to show that in compliance with the order of the writ court, order has already been passed.

In view of the facts and circumstances, ofcourse the Court is satisfied that it was a fit case for issuance of direction to make payment of aforesaid compensation amount to the petitioner forthwith and take step for recovery of the said amount from the

lady concerned (Sunaina Devi), but keeping in view the fact that this Court is hearing contempt petition, it would be difficult for this Court to pass any fresh direction.

Accordingly, in view of Annexure – B to the show cause, the contempt petition is disposed of. If so advised, the petitioner may avail appropriate remedy.

(Rakesh Kumar, J.)

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