

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12252 of 2012

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Vishnu Kumar Mahto S/O Baidyanath Mahto, resident of Village - Araria
Sangram, P.S. Jhanjharpur, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary Revenue and Land Reform Govt. of Bihar, Patna
3. The District Magistrate Madhubani, Dist. Madhubani
4. The Land Acquisition Officer-Cum-Competent Authority Madhubani,
District - Madhubani
5. The Chairman National High Way Authority of India, New Delhi
6. The Project Director National High Way Authority of India Darbhanga ,
Dist- Darbhanga
7. The Executive Officer National High Way Authority of India, Madhubani
Circle, Distt. Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Hari Shankar Roy, Advocate

For the Respondent Nos.1 to 4 :Mr. Ratna Deep Prasad, AC to AAG XI

For the Respondent Nos. 5 to 7 : Mr. Sunil Kumar II, Advocate

Mr.Gayan Prakash, Advocate

Mr.Sharwan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 22-01-2016

Heard the parties.

The claim raised on behalf of the petitioner in the present writ petition is based on disputed question of facts. According to the petitioner, despite order dated 13.05.2011 passed in Case No. 1 of 2011-12 by the District Land Acquisition Officer, Madhubani, the amount of compensation has not been paid to him. However, according to counter affidavit filed on behalf of the respondent nos. 3 and 4, the amount of compensation has already been paid to the petitioner.

In above view of the matter, the writ petition is dismissed as the disputed question of facts cannot be decided in a proceeding under Article 226 of the Constitution of India.

However, if so advised, the petitioner shall be at

liberty to approach the District Collector, Madhubani for redressal of his valid grievances. If such a petition is filed with supporting documents, then the District Collector shall decide the matter in accordance with law without being prejudiced by the dismissal of the present writ petition.

(Birendra Prasad Verma, J)

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