

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6712 of 2013

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1. Most. Satyadbhama Devi Wife of Late Kailash Gope Alias Kailash Yadav, Resident at Modan Tola, Ward No. 19, Mokama, P.O. + P.S.- Mokama, District- Patna
 2. Rahimoon Nisha W/O Md. Jashim, Resident of Village- Shekhpura, Post- Gowasha Shekhpura, P.S.- Pandarak, Barh, District- Patna, Bihar
- Petitioner/s

Versus

1. The State of Bihar
2. Union of India through the Secretary Energy, New Delhi
3. The Secretary, Revenue and Land Reforms Department, Bihar, Patna
4. The Collector, Patna District Patna
5. The District Land Acquisition Officer, Patna
6. The Chief General Manager, East Zone, N.T.P.C., Patna, Bihar
7. The General Manager, N.T.P.C. Barh, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Respondent No.1 & 3 to 5 : Mr. Ajay Kumar Sharma, AC to PAAG
For the Respondent No.2 : Mr. S.N. Pathak
For the Respondent No. 6 & 7 : Mr. Anil Kumar Sinha
Mr. Abhimanyu Deo

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

6 15-03-2016 Heard the parties.

The present writ petition arises out of a proceeding under the provisions of The Land Acquisition Act, 1894 (In short 'the Act').

As per their own admission, made in paragraph-7 of the writ petition, the petitioners have received 100% amount of compensation determined by the Collector under Section 11 of the Act. After receiving the entire amount of compensation, the petitioners have filed the present writ petition assailing the validity and correctness of award(s) prepared for acquisition of lands in question, detailed in para 1 of the writ petition itself.

This Court is afraid, this writ petition is completely misconceived and has to be rejected. If the petitioners were at all

aggrieved by the quantum of compensation determined by the Collector under the Act, then they ought to have availed of the remedy under Section 18 of the Act seeking reference of the matter to the civil Court, either without accepting the award amount or after accepting the award amount under protest, but without doing that and after accepting the entire award amount, they have straightaway come before this Court by filing this writ petition under Article 226 of the Constitution of India.

In above view of the matter, it is apparent that the present writ petition is completely misconceived and is, accordingly, dismissed.

However, the petitioners, if so advised, may approach the appropriate authority/forum for grant of appropriate relief.

(Birendra Prasad Verma, J)

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