

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7925 of 2014

=====

1. Subash Singh, Son of Late Ram Laxaman Singh
2. Mithilesh Singh, Son of Late Mahesh Singh
Both are residents at Village- Karmaini Mohabat, P.S. Kuchaikote, District-
Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Gopalganj
3. The Additional Collector-cum-Arbitrator, N.H.A.L., Gopalganj
4. The Land Acquisition Officer-Cum-Competent Authority, N.H.- 28,
Gopalganj
5. The Circle Officer, Kuchaikote, District- Gopalganj

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava, Adv.
Mr. Sharad Shekhar, Adv.

For the Respondent/s : Mr. Ashok Kumar, AC to GP-21

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 23-11-2016

The petitioners have filed the present writ petition under Article 226 of the Constitution of India seeking a direction to the respondents to pay the award amount for their lands acquired and to pay them compensation at the market rate.

In the present case, a detailed counter affidavit has been filed on behalf of the respondent no.5. In paragraph 4 of the aforesaid counter affidavit, it has been asserted that the adequate compensation has already been awarded and paid to the land holder according to the current market value and as per the provision of law. A copy of the aforesaid counter affidavit was served upon the learned counsel appearing on behalf of the petitioner way back on 10.12.2014, but no rejoinder affidavit has been filed till date disputing the aforesaid assertions made in the aforesaid counter affidavit, though since then almost two years

have already elapsed.

In above view of the matter, it is apparent that the claims raised on behalf of the petitioners are based on disputed questions of facts, which cannot be gone into appropriately in the present proceeding filed under Article 226 of the Constitution of India. The writ petition is devoid of merit and is, accordingly, dismissed.

(Birendra Prasad Verma, J)

Arvind/-

U			
---	--	--	--