

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15101 of 2015

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1. Radheshyam Singh Son of Late Mahesh Singh
 2. Ram Bachan Singh Son of Late Ram Swat Singh
 3. Ram Adhar Singh Son of Late Briksh Mahto
 4. Manik Chand Singh Son of Bhola Singh
 5. Harihar Singh Son of Late Charitra Singh
 6. Maini Devi Wife of Shankar Singh
 7. Balister Singh Son of Ram Bhajan Singh
 8. Ram Bilas Singh Son of Ramadhar Singh
 9. Chhedi Singh Son of Late Ghuru Singh
 10. Hira Saw Son of Late Daroga Saw
 11. Shyam Rathi Singh Son of Late Haribansh Singh All are Resident of Village- Naugaon, P.O.- Sikariya, P.S.- Darigaon, District- Rohtas at Sasaram (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Revenue & Land Reforms Department, Government of Bihar, Patna.
3. The District Magistrate, Rohtas at Sasaram, District- Rohtas (Bihar).
4. The Land Acquisition Officer, Rohtas, District - Rohtas at Sasaram (Bihar).
5. The Special Land Acquisition Officer, Rohtas, District - Rohtas at Sasaram (Bihar).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhanendra Chaubey
Mr. Lallan Pandey

For the Respondent/s : Mr Krishna Chandra, AC to AG

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 29-03-2016 Heard the parties.

The grievance of the petitioners in the present writ petition is that though their lands, fully detailed in paragraph-11 of the writ petition, have been acquired under the provisions of The Land Acquisition Act, 1894 (In short 'Act, 1894') and they have also been issued notices under Section 12(2) of the aforesaid Act for receiving the award amount, but the compensation amount determined by the Collector under the Act, 1894 is not adequate.

According to the learned counsel for the petitioners, in view of nature of lands, so acquired, the petitioners are entitled for more amount of compensation.

In view of the nature of grievances raised on behalf of the petitioners in the present writ petition, they are directed to file an appropriate petition before the Collector under the Act, 1894 for referring the matter to the civil court for its proper adjudication.

If an appropriate petition is filed on behalf of each of the petitioners separately under Section 18 of the Act, 1894 within a period of one month from today with a certified copy of the present order, then the Collector under the Act, 1894 shall refer the matter to the civil court for its adjudication in terms of Section 18 of the Act, 1894.

The parties shall be at liberty to raise all the issues of facts and law, which may be available to them, with respect to the lands in question.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

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