

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.20484 of 2014**

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1. Kunti Devi Wife of Mahendra Prasad R/o Village - Masepur, P.S. -  
Rahui, District - Nalanda.

.... .... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Rural Development, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Collector, Nalanda.
4. The Circle Officer, Rahui District - Nalanda.
5. The Executive Engineer, Department of Rural Development, Biharsharif, Nalanda.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar

For the State : Mr. S.Raza Ahmad, AAG 5,  
Mr. Alok Ranjan, AC to AAG

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

4      21-12-2017              Heard learned counsel for the petitioner and learned  
counsel for the State.

In the present case, petitioner is seeking relief for  
payment of compensation of the land which has been utilized  
for construction of the road.

The Government has made construction of the road and  
certain portion measuring 148"x27"=3996 Sq.ft=9.17  
decimals of land has been utilized for laying out the road  
without making any valid acquisition as per the Right to Fair  
Compensation and Transparency in Land Acquisition  
Rehabilitation and Resettlement Act, 2013 (hereinafter  
referred to as the Act).



It has further been alleged that the Government has not only utilized the land but also destroyed the standing crops without making any payment.

It appears from the report of the Anchal Amin dated 15.12.2016 where he has arrived to a finding that 148"x27" Sq.ft=9.17 decimals of land having been utilized without valid acquisition for the construction of the road.

In such view of the matter, the District Magistrate, Nalanda at Biharsharif is directed to promptly start the acquisition proceeding under the Act and make payment of the land utilized or any crop which was standing was destroyed or damaged. Entire process must be completed within a period of three months from the date of receipt/production of a copy of this order. In failure, the Collector, Nalanda at Biharsharif will give a report why he has failed to comply the order of this Court.

With the aforesaid observation and direction this writ petition is allowed.

Vinay/-

**(Shivaji Pandey, J)**

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