

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21853 of 2014

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Dhirendra Jha, son of Late Ramudar Jha, resident of village-- Parsagarhi, P.S.-
Parsagarhi Uttar, Via-- Jadia, District- Supaul.

.... Petitioner

Versus

1. The State of Bihar.
2. The Commissioner, Kosi Division, Saharsa.
3. The District land Acquisition Officer, Supaul.
4. The secretary to the Government, Water Resources Development Department, Bihar, Patna.
5. The Director, land Acquisition and Rehabilitation, Jal Sansadhan Bibhag (Water Resources Development Department), Govt. of Bihar, Patna.
6. The Special Land Acquisition Officer, Kosi Project Saharsa.
7. The Collector, Supaul.
8. The Special Land Acquisition Officer, Kosi Project Purnea.
9. The Executive Engineer, Jal Nistaran Pramandal (Kosi Project) Roghopur, Supaul.

.... Respondents

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Appearance :

For the Petitioner : Mr. Syed Md. Najmul Bari,
Mr. Kameshwar Pd. Singh, Advocates
For the Respondents : Mr. Anshuman Singh, AC to AG

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-10-2017

Heard learned counsel for the petitioner as well as learned
counsel for the respondents.

2. The present writ petition has been filed for a direction to the respondents to make payment of the total and remaining amount of compensation for the acquired land of petitioner pertaining to his Raiyati land Khesra No. 512 area 78 decimals, Khesra No. 522 area 01 acre 47 decimals and Khesra No. 515, area 1 acre 11 decimals, total 3 acres and 36 decimals under Khata No. 26 and Khata No. 65 respectively are *Dhanhar* land under Mauza Govindpur, P.S. No. 313,



Parkhand - Triveniganj, District Supaul.

3. Learned counsel for the petitioner submits that for acquisition of his land, he has only received compensation of Rs. 10,21,080/- whereas he is entitled to receive further amount in respect of 3 acres 36 decimals of land which has been acquired and other similarly situated persons have been paid Rs. 6,500/- per decimal for their acquired land.

4. Learned counsel for the respondents, on the other hand, refers to statements made in paragraphs 7 and 8 of the counter affidavit wherein it has categorically been stated that as regards acquisition of part of plot nos. 512 and 522 of the land, the petitioner has already been paid compensation and no amount is due for payment and the petitioner has also acknowledged the receipt of the compensation amount. As regards plot no. 515 of the land of village Govindpur, the same is a Government land and the same has been excluded from the acquisition proceeding. The petitioner has not brought on record any authentic document in support of his title over the said land whereas the documents brought by him appear to be collusive and cannot be taken to be exclusive proof of his title on the said land. It is, therefore, submitted that the petitioner is not entitled for compensation in respect of the said Government land.

5. The petitioner has not controverted the specific stand taken in the counter affidavit as aforesaid and no rejoinder thereto has



been filed.

6. In such circumstances, this Court is not inclined to interfere in the matter. The writ petition stands dismissed.

(Vikash Jain, J)

B.T/Ibrar

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