

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15285 of 2012

RAJ MOHAN MISTRY S/O LATE RAGHUNATH MISTRY R/O
VILLAGE- PARSAWAN, TOLA BAJRAHI, P.O.- PARSAWAN, P.S.-
MAGADH MEDICAL COLLEGE, GAYA, DISTT.- GAYA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE SECRETARY REVENUE AND LAND REFORMS, BIHAR, PATNA
2. THE DISTRICT MAGISTRATE, GAYA
3. THE DISTRICT LAND ACQUISITION OFFICER CUM COMPETENT AUTHORITY, GAYA
4. THE CIRCLE OFFICER, TOWN BLOCK- GAYA
5. THE NATIONAL HIGHWAY AUTHORITY OF INDIA THROUGH ITS MANAGING DIRECTOR CUM PROJECT DIRECTOR PROJECT IMPLEMENTATION UNIT, PATNA, D-63, SRI KRISHNAPURI, PATNA
6. THE MANAGING DIRECTOR CUM PROJECT DIRECTOR NATIONAL HIGHWAY AUTHORITY OF INDIA, PROJECT IMPLEMENTATION UNIT, PATNA, D-63, SRIKRISHNAPURI, PATNA
7. SUDAMA OJHA S/O LATE GAURI SHANKAR OJHA R/V- PARSAWAN, P.S.- MAGADH MEDICAL COLLEGE, GAYA, P.O.- PARSAWAN, DISTT.- GAYA, AT PRESENT R/M- NEW BISHUNPUR, DURGA MANDIR ROAD, P.S.- SHARMA TAND, DISTT.- DHANBAD (JHARKHAND)

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv.
For the Respondent/s : Mr. Ajay Kr. Sinha, AC to learned AG

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 12-09-2017 Heard Mr. Shailesh Kumar, learned Counsel appearing on behalf of the petitioner and Mr. Ajay Kumar Sinha, learned AC to learned Advocate General.

The present Writ application has been filed for quashing of the order dated 02.05.2012, passed by the District Land Acquisition Officer, Gaya, in Land Acquisition Case No.14/12, whereby, the petitioner's application for referring the claim of



payment of compensation to the Civil Court for declaration of entitlement of the petitioner for compensation in view of the acquisition of the land in question of the petitioner has been rejected. Further prayer has been made for directing respondent no.3, the District Land Acquisition Officer-cum-Competent Authority, Gaya, to withhold the payment of compensation being made in favour of respondent no.7, till conclusion of Title Suit No. 44 of 2012/ 194 of 2012.

It is submitted by learned Counsel appearing on behalf of the petitioner that since injunction has been granted, with regard to payment of compensation, in Title Suit No. 44 of 2012/ 194 of 2012 vide order dated 28.05.2012, passed by the learned Sub Judge-II, Gaya, hence, he prays for disposal of the Writ application

The Writ application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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