

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8027 of 2015

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Sunil Kumar Singh, Son of Late Mahendra Prasad Singh, Resident of Village-
Jhikulia, P.S. - Belhar, District- Banka.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Director, Land Acquisition and Rehabilitation, Water Resources Department, Government of Bihar, Patna.
3. Deputy Secretary-cum-In Charge, Director, Land Acquisition Department, Government of Bihar, Patna.
4. The District Magistrate, Banka.
5. The District Magistrate, Bhagalpur.
6. The District Land Acquisition Officer, Banka.
7. The District Land Acquisition Officer, Bhagalpur.
8. The Special Land Acquisition Officer, Madhyam Sinchayee Pariyojna, Bhagalpur.
9. The Chief Engineer, Water Resources Department, Bhagalpur.
10. The Superintending Engineer, Irrigation Division, Tarapur, District- Munger.
11. The Executive Engineer, Irrigation Division, Bijikhorba, Bijikhorba, Banka District- Banka.
12. The Executive Engineer, Irrigation Division, Tarapur, District - Munger.
13. The Circle Officer, Behlar, District- Banka.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Dharendra Nath Jha and
Mr. Amrendra Kumar Jha, Advocates.

For the Respondent/s : Mr. Chittranjan Sinha, PAAG 2.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 03-04-2017



From the averments made in the Writ Petition and the Counter Affidavits filed by the respondents it is seen that the acquisition in question took place in the year 1965 and it is now in the year 2015 that this Public Interest Litigation has been filed by the petitioner seeking compensation.

2. From the averments made by the respondents in the Counter Affidavits it is seen that they plead non-availability of records and their inability to conduct an enquiry into the matter at the instance of the petitioner without there being any specific material with regard to the individual who have not received compensation and particularly with regard to the land owned by an individual person.

3. Taking note of the aforesaid totality of the circumstances we are of the considered view that in the peculiar facts and circumstances of the case, in this Public Interest Litigation the question of dispensation of compensation cannot be looked into. The individual concerned, who has not received the compensation, will have to agitate the matter in accordance with law based on the rights available to him whereupon after conducting an enquiry based on the specific averments made by the individual concerned, the issues can be more appropriately dealt with.

4. With the liberty aforesaid finding no case having been made out based on the averments made by the petitioner in the



peculiar facts and circumstances of the case, we dispose of the matter.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Dilip, AR.

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

