

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 15229 of 2014

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Devendra Kumar Das Son of Late Gango Das Resident of Village -
Sugapakar, Post Rupauli, P.S. - Musari - Gharari, District- Samastipur.

.... Petitioner

Versus

1. The State of Bihar.
2. Collector-cum-District Magistrate, Samastipur.
3. Anchal Adhikari, Sarairanjan, District - Samastipur.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Kumar Uday Singh

For the Respondent/s : Mr. Ram Balak Mahto

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 02-08-2017 This matter has been listed out of turn on the basis of
mentioning slip filed on behalf of the petitioner.

Heard the parties.

The grievance of the petitioner is that without making
any valid acquisition, the respondents took possession of their land
and started making construction upon the aforesaid land and,
therefore, petitioner has prayed before this court for issuance of
direction to respondents to make payment of compensation in the
light of Right to Fair Compensation and Transparency in Land
Acquisition, Rehabilitation and Resettlement Act, 2013.

It would appear that the petitioner had filed
representation before the Circle Officer, Sarairanjan, District



Samastipur and pursuant to the aforesaid representation, the Circle Officer, Sarairanjan made inspection of the lands in question and also perused the relevant documents and came to conclusion that petitioner got issued forged receipts of the lands in question. However, it would appear from perusal of Annexure-C to the counter affidavit filed on behalf of the respondents that Circle Officer did not give any opportunity of hearing to petitioner before passing order dated 24.04.2015.

Therefore, in the aforesaid circumstance, this writ petition stands disposed of directing the respondent no. 3, the Anchal Adhikari, Sarairanjan, District Samastipur to rehear the representation of the petitioner after giving proper opportunity of hearing to him and pass a fresh order in accordance with law. It is made clear that the Anchal Adhikari, Sarairanjan shall pass order on the representation of the petitioner within a month from the date of receipt/production of copy of this order.

(Hemant Kumar Srivastava, J)

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