

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11756 of 2016

- =====
1. Ram Sharma
 2. Rahul Sharma Both are sons of Late Sidheshwar Sharma null
 3. Lalmano Devi @ Lagomano Devi wife of Late Sidheshwar Sharma
 4. Ram Ashish Rai @ Ram Ashish Sharma son of Late Kedar Rai All are resident of Village and Post- Andhari, Police Station and Block- Sahar District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary-cum-Commissioner, Revenue and Land Reforms Department (Directorate of Land Acquisition), Govt. of Bihar, Patna.
2. The Secretary-cum-Commissioner, Revenue and Land Reforms Department (Directorate of Land Acquisition), Govt. of Bihar, Patna.
3. The Commissioner, Patna Division, Patna
4. The District Magistrate, District- Bhojpur at Ara
5. The Additional District Magistrate, District- Bhojpur at Ara
6. The Circle Officer, Anchal- Sahar, District- Bhojpur.
7. The District Registrar, Land Registration Office, District- Bhojpur at Ara.
8. The District Land Acquisition Officer, District- Bhojpur at Ara.
9. The Project Director, National Highway Authority of India, P.I.U.- Bhojpur, District- Bhojpur.
10. The Chief Engineer, C.I.P.U. (Central Project Implementation Unit), Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Naresh Sharma
For the Respondent/s : Mr. RAJESH KUMAR- GP19

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR

SRIVASTAVA

ORAL JUDGMENT

Date: 26-04-2017

Heard the parties.

2. The petitioners have filed this writ petition for issuance of direction to the respondents to pay just and proper compensation to the petitioners on the basis of the present market value and also treating their acquired land as residential / commercial.

3. Admittedly, when this writ petition was filed, no Tribunal was functioning and after filing of the present writ petition,



the Tribunal was constituted and now, the Tribunal is functioning.

4. Learned counsel for the petitioners fairly submits that all the relevant documents of the concerned scheme have already been sent to the Chairman- cum- Competent Authority, Land Acquisition Rehabilitation and Resettlement Tribunal , Patna and, therefore, in my view, this writ petition should be disposed of giving liberty to the petitioners to raise their claim before the concerned Tribunal and, accordingly, this writ petition stands disposed of, giving liberty to the petitioners to raise their claim before the above stated Tribunal within four weeks and if they do so, the concerned Tribunal shall consider the grievance of the petitioners and shall pass an order in accordance with law.

5. It is also made clear that if the learned Tribunal comes to the conclusion that there was delay in making the claim on behalf of the petitioners, then also, the learned Tribunal shall pass an appropriate order in accordance with law in respect of the claim of the petitioner as early as possible, preferably, within three months from the date of receipt/ production of a copy of this order.

(Hemant Kumar Srivastava, J)

N.K/-

AFR/NAFR	NAFR
CAV DATE	NAFR
Uploading Date	01.05.2017
Transmission Date	01.05.2017

