

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.308 of 2014

In
Civil Writ Jurisdiction Case No.10907 of 2010

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Bipin Bihari Sharma Son Of Late Laxmi Narayan Choudhary, Resident Of
Village + P.S.- Bhagwanpur, District- Begusarai, Presently Residing At R-10
Jagat Vihar Colony, P.S.- Ashiana Nagar, P.S.- Shastri Nagar, Town + District-
Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sri Deo Narayan Prasad, Managing Director, Bihar Rajya Pul Nirman Nigam
Ltd., 7 Sardar Patel Marg, Patna- 800015
3. Sri Vijay Kumar Mishra, Senior Project Engineer, Bihar Raj Pul Nirman
Nigal Ltd., Works Division, Darbhanga
4. Sri Manoj Kumar, I.A.S., Collector-Cum-District Magistrate, Begusarai
5. Sri Subhash Mandal, Sub-Divisional Officer, Teghra, District- Begusarai
6. Sri Sanjay Kumar, Block Development Officer, Block- Bhagwanpur, District-
Begusarai
7. Sri Devraj Swami Kartikey, Circle Officer, Bhagwanpur, District- Begusarai
8. Ms. Harpreet Kaur, I.P.S., Superintendent Of Police, Begusarai
9. Sri Manoj Mahto, Officer-In-Charge Of Bhagwanpur Police Station, District-
Begusarai
10. Sri Pawan Singh, Son Of Not Known To The Petitioner, Resident Of Village +
P.O.- Aalu Ara, P.S.- Barh, District- Patna
11. Sri Gulab Chand, District Land Acquisition Officer, Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Adv.
For the Respondent/s : Mr. P.K. VERMA, AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 09-11-2017



In pursuance to the order dated 23.8.2017, it is reported today that certain amounts have been paid to the petitioner on ground rate for the area upto March, 2017 and rent up to 5.9.2017 has been paid and thereafter on 26.9.2017 the competent authority has directed the petitioner to appear in the office of the competent authority to collect the compensation to the tune of Rs.1,23,51,669/- on 14.10.2017 or any other working day along with requisite document and two local public representatives, i.e., the Mukhia or Sarpanch of the area in question.

From the supplementary show cause filed by the respondents represented by Sr. Counsel Shri P.K. Verma, it is clear that in pursuance to the order passed in the writ petition, action has been taken, rent has been paid, compensation has been calculated and the amount of compensation, as required under the Land Acquisition Act, has been determined and the communication brought to the notice of this Court by the learned Counsel is, in fact, a notice under Section 337/2 of the Land Acquisition Act to the petitioner for receipt of the compensation.

That being so, now no further indulgence into the matter is called for. Even though learned counsel for the petitioner submitted that interest is also required to be paid, as observed by



this Court on 23.8.2017 Shri Verma points out that while determining the compensation, the statutory interest in accordance with Statute itself is calculated and, therefore, no further interest is payable.

However, learned counsel appearing for the petitioner submits that he would accept the amount now tendered, in protest, reserving his liberty to claim further compensation or interest on the amount as may be permissible under law. The said liberty shall be available to the petitioner. However, learned counsel appearing for the petitioner further points out that the direction in communication made on 26.9.2017 to accompany the Mukhiya or the Sarpanch, for certain reasons explained to this Court, may not be possible and this Court also feels that in the circumstances expressed by the petitioner, it may not be possible for the petitioner to go to the office of the concerned official along with Mukhiya or the Sarpanch.

Instead, the official concerned is granted liberty either to credit the amount of compensation in the bank account of the petitioner directly, in case the petitioner furnishes the details of bank account, or goes to the office along with his advocate on record who shall identify the petitioner and he would take the



documents to prove his identity without insisting upon any public representative accompanying him.

With the aforesaid, this application is disposed of.

(Rajendra Menon, CJ)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	14.11.2017
Transmission Date	

