

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1550 of 2016
IN
Civil Writ Jurisdiction Case No. 6006 of 2014**

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Sushil Kumar Singh son of Late Kishna Prasad, resident of village Sabalpur, P.S.
Panjawar, District Banka

.... Appellant/s

Versus

1. The State of Bihar through Director, Land Acquisition Department, Bihar, Patna
2. The District Magistrate, Banka, District Banka
3. The District Land Acquisition Officer, Banka, District Banka
4. The District Land Acquisition Officer, Bhagalpur, District Bhagalpur
5. The Additional Land Acquisition Officer, District Bhagalpur

.... Respondent/s

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Appearance :

For the Appellant/s : None

For the Respondent/s : None

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 01-05-2017

None appears for the parties.

Perused the record.

Seeking exception to an order dated 30.06.2016 passed
by the learned Writ Court in C.W.J.C. No.6006 of 2014, this appeal
has been filed under Clause 10 of the Letters Patent.

Land acquisition proceedings were held in Land
Acquisition Case No.36 of 1961-62 and way back on 26.10.1970 the
award was passed and petitioner's father late Kishna Prasad Singh was
paid the award. Thereafter, as the land acquisition proceedings were
given up or withdrawn on 28.10.1972, notice was issued to petitioner's



father to deposit the amount of award with 6% interest and take back the land, failing which it was noticed that the land shall stand vested in the government. Petitioner’s father did not do anything during his life time and the petitioner also kept quiet for 44 years and thereafter filed the writ petition seeking release of the land.

After analyzing the matter, in detail, the learned Writ Court held that now after a period of 44 years, no mandamus can be issued for return of the land and dismissed the writ petition.

In our considered view, in doing so the learned Writ Court has not committed any error warranting reconsideration.

The appeal is dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Narendra/-

AFR/NAFR	N.A.F.R.
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