

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3322 of 2013

Arising out of

Civil Writ Jurisdiction Case No. 1382 of 2013

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Narendra Kumar Sharma S/O Late Jay Kumar Sharma Resident Of Village
Balhama, P.S- Daudnagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Mr. Abhay Singh The Collector- Cum- District Magistrate, Aurangabad,
3. Mr. Binod Bihari Sharma, The Executive Engineer, Local Area Engineering
Organisation Work Division, Aurangabad, District- Aurangabad.
4. Mr. Om Prakash Mandal, The Sub- Divisional Officer, Daudnagar, District-
Aurangabad.
5. Mr. Rajeev Kumar The Deputy Collector- Land Reforms Daudnagar, District-
Aurangabad.
6. Mr. Rajendra Sharma The Block Development Officer, Daudnagar, District-
Aurangabad.
7. Mr. Jaydeo Kumar The Programme Officer, Daudnagar, District- Aurangabad.
8. Mr. Anil Kumar Choudhary, The Circle Officer, Daudnagar, District-
Aurangabad.

.... Opposite Parties.

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Appearance:

For the Petitioner/s : Mr. Mukesh Kumar Jha and
Mr. Ashok Kumar No. 6, Advocates.

For the Respondent/s : Dr. Anil Kumar Upadhyay, SC 2 and
Mr. Rohit Rajrishi, AC to SC 2.

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 16-03-2017

While disposing of the Writ Petition, the Collector was directed to get an enquiry held with regard to the right to claim compensation in case the land of the petitioner has been taken over for construction of a public road.

2. Vide Annexure 'A' dated 19.07.2013 to the Show Cause, the Collector, after conducting a detailed enquiry and finding the petitioner not entitled for any compensation, has rejected the claim



of the petitioner. Once the Collector has rejected the claim by the order in question vide Annexure ‘A’, the petitioner is required to challenge the said order before an appropriate forum. In the contempt proceedings, the tenability, justification or reasonableness of the order passed by the Collector cannot be looked into.

3. Accordingly, granting liberty to the petitioner to take recourse to the remedy available for challenging the order of the Collector (Annexure ‘A’), this application stands disposed of.

(Rajendra Menon, CJ)

Dilip, A.R.

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

