

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3365 of 2017

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1. Rameshwar Singh, Son of Late Binda Singh, Resident of Village-Kawalpura, Police Station- Masrakh, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The Union of India through General Manager, North Eastern Railways, Gorakhpur.
2. The General Manager, North Eastern Railways, Gorakhpur.
3. The Chief Engineer (Construction), North Eastern Railways, Gorakhpur.
4. The Deputy Chief Engineer (Construction), North Eastern Railways, Gorakhpur.
5. The State of Bihar through its Principal Secretary, Department of Land Reform and Land Revenue, Bihar, Patna.
6. The District Magistrate, Chapra, Saran.
7. The District Land Acquisition Officer, Chapra at Saran.
8. The Circle Officer, Masrakh Anchal, Chapra at Saran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh
For the State : Mr. Md. Khurshid Alam- AAG12
For the Railway : Mrs. Kalpana Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 19-04-2018

Heard both sides.

The petitioner has filed this writ petition for a direction to the respondents to recalculate the compensation amount paid to the petitioner in respect of residential house acquired by the respondents for construction of Masrakh-Maharajganj railway line and also provide him a job.

Admittedly, the land was acquired under the provisions of Bihar Land Acquisition Act, 1894 and the petitioner got compensation but the petitioner filed an application dated



15.02.2016 before Land Acquisition Officer for enhancement of compensation. The Land Acquisition Officer directed the petitioner to present the application with relevant documents and evidence so that case of petitioner may be sent to the Civil Court for reference.

The State has also filed counter affidavit.

This court in writ jurisdiction cannot re-calculate or enhance the amount of compensation for the land acquired. The proper procedure is provided under Bihar Land Acquisition Act, 1894.

In this view of the fact, this writ petition is disposed of with a direction to the petitioner to file a detailed representation with evidence before the Land Acquisition Officer so that case of petitioner may be referred to Civil Court for proper calculation or enhancement of compensation amount.

(Prabhat Kumar Jha, J)

BKS/-

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