

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3935 of 2013

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Mukesh Kumar, Son Of Late Uday Singh, Resident Of Village-
Bharatpura, P.S- Dulhin Bazar, Distt- Patna

2. Manoj Kumar, S/O Sri Ram Krishna Singh, Resident Of Village-
Bharatpura, P.S- Dulhin Bazar, Distt- Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Amrit Lal Mina, the Principal Secretary, Rural Development Department,
Govt. Of Bihar, Patna.
3. Sri D.D. Choudhary, Chief Engineer, Rural Development Department,
Govt. Of Bihar, Patna.
4. Sri Rajendra Paswan, Superintending Engineer, Rural Works Circle,
Patna.
5. Er. Ashwani Kumar Singh, Executive Engineer, Rural Works Division,
Patna.
6. Arun Kumar, Son Of Not Known R/O Village- Korra, P.S- Ghosi,
District- Jehanabad
7. Dr. Ashok Wardhan, Principal Secretary, Revenue And Land Reforms
Department, Govt. Of Bihar, Patna.
8. Sri. N. Sarwan, Son Of Not Known District, Magistrate- Cum- Collector,
Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rana Jee Arvind

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

29 24-09-2018 Heard learned Senior Counsel for the petitioners. No one
appears for the State.

Learned Senior Counsel representing the petitioners has
taken this Court through the order dated 01.08.2012 passed by a
learned Coordinate Bench of this Court in M.J.C. No. 1571 of
2011. By the said order a direction was issued to the District



Magistrate, Patna to ensure that a land acquisition proceeding is initiated with respect to the lands of the petitioners. A further direction was issued to the Road Construction Department, the Rural Development Department or the concerned departments to make available the funds as per the requisition of the District Magistrate.

It is the contention of learned Senior Counsel that vide Annexure B to the show cause filed on behalf of the O.P.No. 2 a sum of Rs.1,43,00,000/- and odd were made available to the District Magistrate for disbursement in the given land acquisition case but the District Magistrate in his own wisdom has passed the order dated 19.04.2018 showing that the petitioners would be entitled for only a sum of Rs.92,000,00/- approximately.

Learned Senior Counsel, therefore, submits that the District Magistrate has wrongly calculated the compensation amount as according to learned Senior Counsel the compensation amount should have been calculated taken into consideration the provisions made in the new Land Acquisition Act of 2013 which came into effect from 01.01.2014.

This Court has gone through the order passed by the District Magistrate, Patna which has been brought on record as Annexure C to the supplementary show cause filed on behalf of



the Opposite Parties which has been sworn by the Additional District Land Acquisition Officer, Patna.

In the opinion of this Court, the order dated 19.04.2018 may be good or bad, but such declarations cannot be given in a contempt jurisdiction, for the present the Court is satisfied that no case for contempt is made out. In case the petitioners are aggrieved by the order dated 19.04.2018 passed by the District Magistrate, Patna in respect of the compensation payable to the petitioners, they will be at liberty to challenge the said order in an appropriate jurisdiction by filing an appropriate application.

This application is disposed off with the liberty aforesaid.

(Rajeev Ranjan Prasad, J)

R.R.Ojha.

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