

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.447 of 2017

In
Civil Writ Jurisdiction Case No.21853 of 2014

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Dhirendra Jha, son of Late Ramudar Jha resident of village- Parsagarhi Uttar North, Via- Jadia, District- Supaul.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Commissioner, Kosi Division, Saharsa.
3. The District Land Acquisition Officer, Supaul.
4. The Secretary to the Government, Water Resources Development Department, Bihar, Patna.
5. The Director Land Acquisition and Rehabilitation, Jal Sansadhan Bibhag (Water Resources Development Department) Govt. of Bihar, Patna.
6. The Special Land Acquisition Officer, Kosi Project Saharsa.
7. The Collector, Supaul.
8. The Special Land Acquisition Officer, Kosi Project, Purnea.
9. The Executive Engineer, Jal Nistaran Pramandal (Kosi Project) Roghopur, Supaul.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Kameshwar Prasad Singh, Advocate
For the Respondents : Mr. Sriram Krishna, AC to SC 11

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 12-12-2018

This petition has been filed for review of the judgment of this Court dated 12.10.2017 passed in CWJC No. 21853 of 2014 (*Dhirendra Jha Vs. The State of Bihar & others*).

2. Learned counsel for the petitioner submits that the judgment under review has been passed without considering the fact that Plot no. 515 under Khata no. 65 Jamabandi no. 133, P.S. No. 313 Mauza Govindpur, area comprising 1 Bigha 5 Katha 12 Dhurs was the land of the petitioner as evident from the certificate



of the Circle Officer, Tribeniganj issued on the basis of the report of Halka Karmchari and the Circle Officer. It has also not been appreciated that Quaimi Khatiyani of said Plot No. 515 was running in the name of father of the petitioner and Jamabandi is also continuing in the name of father of the petitioner. As such, the plot in question cannot be treated as a Government land. It is submitted that this Court ought to have enquired into the genuineness and authenticity of the documents filed by the petitioner.

3. Upon hearing learned counsel for the parties and perusal of the writ petition, this Court finds the review petition to be devoid of merit. It transpires that Plot No. 515 had earlier been notified for acquisition on 11.07.2013 by letter no. 452 dated 11.07.2013 (Annexure-B to the counter affidavit) but corrigendum by letter no. 828 dated 04.12.2013 (Annexure-C to the counter affidavit) was issued thereafter by which the said Plot No. 515 was excluded from the said notification dated 11.07.2013. The petitioner did not file any rejoinder to the counter affidavit muchless challenge the corrigendum. Resultantly, Plot No. 515 retained the status of land as Gairmazarua land belonging to the State Government and as such, the question of acquisition of land for payment of compensation to the petitioner could not arise. This



Court therefore does not find any error apparent from the record
nor any other reason for review of its judgment.

4. The review petition stands dismissed.

(Vikash Jain, J)

BT/Chandran

AFR/NAFR	NAFR
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