

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3687 of 2017

In
Civil Writ Jurisdiction Case No.712 of 2012

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1. Mahendra Singh, son of late Ram Prasad Singh R/o village Fatepur, P.S. Didarganj, District Patna.
2. Saryug Singh, son of late Ram Parikshan Singh
3. Shankar Singh, son of late Ramdeo Singh
4. Dilip Kumar Singh, son of late Rambali Singh
All resident of village Fatepur, P.S. Didarganj, District Patna.

... .. Petitioners

Versus

1. The State Of Bihar
2. Shri Sanjay Kumar Agarwal, Collector, Patna
3. Shri Birendra Kumar Mishra, The Director Land Acquisition Bihar, New Secretariate, Patna, Bihar
4. Shri Preetishwar Prasad, District Land Acquisition Officer, Patna
5. Shri Abhishek Singh, The Municipal Commissioner, Patna Municipal Corporation, Patna

... .. Opposite Parteis

Appearance :

For the Petitioner/s	:	Mr. Subroteswar De, Adv.
For the Respondent/s	:	Mr. Majid Mahboob Khan, AC to AAG 12
For the P.M.C.	:	Mr. Sanjay Prakash Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

5 19-12-2018 Heard learned counsel for the petitioners as well as learned counsel appearing for the opposite parties.

The grievance of the petitioners was that the opposite parties have not complied with the direction of this court given vide order dated 08.03.2017 passed in CWJC No. 712 of 2012.

The order dated 08.03.2017 passed in CWJC No. 712 of 2012 which has been annexed as Annexure-1 with this petition goes to show that this court had directed the opposite



party no. 2 and 4 to re-determine the value of proposed land keeping in mind the provision of new Act, particularly, Section 26 of the above stated Act.

Show cause has been filed on behalf of opposite parties no. 2 and 4 and at para 3 and 4 of the show cause it has specifically been pleaded that the value of the proposed land has already been re-determined in the light of provision of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Although, learned counsel appearing for the petitioners raised question regarding the method adopted by the concerned authorities for re-determination of value of proposed land and submitted that the concerned authorities have not taken into consideration the relevant provision particularly Section 26 of the above stated Act in consideration while redetermining the value of proposed land but in my view, the concerned opposite parties have already redetermined the value of land and the order of this court has already been complied with.

However, if the petitioners are not satisfied with re-determination as done by the concerned authorities, they have right to challenge the re-determination as done by the concerned opposite parties before appropriate forum in accordance with



law.

With the aforesaid observations and with the aforesaid liberty to the petitioners, this petition stands disposed of.

(Hemant Kumar Srivastava, J)

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