

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2709 of 2019

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1. Mundrika Ray, S/o Lobhit Ray
 2. Badamo Devi @ Badamiya Devi, W/o Mundrika Ray
 3. Dipnarayan Ray
 4. Mukesh Kumar
 5. Manoj Kumar
 6. Mithilesh Kumar Ray

Petitioner nos. 3 to 6 are sons of Mundrikma Ray

All are residents of Ward No.14, Bidupur Dih,P .S. Bidupr, Dist.-Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Revenue Department Govt. of Bihar, Patna
2. The Collector-cum-District Magistrate, Vaishali at Hajipur
3. The Deputy Collector, Land Reforms, Vaishali at Hajipur
4. The District Land Acquisition Officer, Vaishali at Hajipur
5. The Revenue Officer-cum-Kanoongo, Vaishali at Hajipur
6. The Circle Officer, Raghapur Block, District-Vaishali
7. The Halka Karamchari, Nava Nagar, Bidupur, Dist.-Vaishali

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra
Mr. Varun Kumar

For the Respondent/s : Ms. Archana Prasad, AC to SC-19

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 14-02-2019 Heard learned Counsel for the parties concerned.

The gist of the grievance of these petitioners is that though, their land has been acquired by the Revenue and Land Reforms Department, Government of Bihar, for construction of Green Field Bridge, from Kachchi Dargah to Bidupur, they have not been paid compensation, which they are entitled to, in accordance with law.

In my view, the petitioners have remedy under



Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, (hereinafter referred to as 'the Act'), by making an application to the Collector. The proviso to Sub-Section (2) of Section 64 of the Act, describes the time limit within which such application is to be filed, which is to be certainly taken into account for entertaining petitioners' application. The Collector shall, however, be at liberty to entertain the application even if the period prescribed has expired applying the proviso to Clause (b) of Section 64(2) of the Act.

Learned State Counsel has informed that there is some suit pending among the agnates of the vendors and the vendors of the petitioner, from whom, they claim to have purchased the land in question.

The competent authority, while proceeding with the application of the petitioners, shall take into account all such aspects and decide the application in accordance with law.

This application is, accordingly, disposed of.

(Chakradhari Sharan Singh, J.)

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