

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2365 of 2019

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Lila Nath Jha, Son of Achuyta Nath Jha, R/o Vill- Barahgoriya, Block and Anchal and P.S. Pandaul, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction, Department of Government of Bihar, Patna
2. The Secretary, Land Reforms, Government of Bihar, Patna
3. The Engineer-in-Chief, Road Construction Department, Government of Bihar, Patna
4. The Collector, Madhubani
5. The Deputy Collector, Land Reforms, Madhubani District- Madhubani
6. The Sub Divisional Officer, Madhubani Sadar, District- Madhubani.
7. The Circle Officer, Pandaul, Distt- Madhubani
8. The Block Development Officer, Pandaul, Distt- Madhubani
9. The Executive Engineer, Madhubani, Distt. Madhubani

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha
For the Respondent/s : Mr. Sanjay Kumar, AC to GA 13

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-02-2019 Heard learned Counsel for the parties concerned.

The petitioner is seeking direction to the respondent authorities to institute land acquisition proceeding in accordance with the provisions of law in respect of the petitioner's land, which has been used for the purpose of construction of road in the year 2005.

It is the petitioner's case that the land belong to his maternal grand father and the petitioner's mother, being the only legal heir of his maternal grand father, had inherited the property of her father, left behind. The petitioner claims that a



power of attorney has been executed by her mother in respect of the said land and for the purpose of filing of the present case.

In my opinion, it is quite late for the petitioner to raise the plea, which he has raised 14 years after the road having been constructed, even if what has been asserted in the writ application is factually correct.

It has been asserted that the petitioner filed representation in 2013 and 2018, raising the grievance as is being raised in the present application, does not inspire confidence.

I find it difficult to allow the petitioner to take recourse to the provisions under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013.

In my view, there is no merit in this application, which is, accordingly, dismissed.

(Chakradhari Sharan Singh, J.)

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