

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2416 of 2019

Bindeshwari Mistry, Son of Ganauri Mishtri, Resident of Dhamni, P.S.
Dhamani, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate cum Land Acquisition Officer, Nawada.
3. The Executive Engineer Rural Work Dept. Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma
For the Respondent/s : Mr. Archana Meenakshee, GP-6

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 11-02-2019 Heard learned Counsel for the parties concerned.

It is the petitioner's grievance that the compensation amount, in respect of the land which has been acquired by the authorities, has not been paid to him. A direction is, accordingly, being sought for payment of amount. It seems that the petitioner had filed a representation before the Collector, Nawada, on 08.01.2018, a copy of which has been brought on record by way of Annexure 2 to this writ application.

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'), in case, any person interested has not accepted award may make an application to the Collector for reference to the authorities under



the Act, who is required to determine the right to receive compensation and amount of compensation. Once the application is made to the Collector, the same is required to be referred.

It is not known whether reference has been made by the Collector or not. In case, no reference is made, as required under Section 64(1) of the Act, the applicant has the liberty to apply to the authority, making a request to direct the Collector to make the reference to the authorities within a period of 30 days.

If the petitioner has filed an application and the same has not been referred to the competent authority, the petitioner shall be at liberty to take appropriate steps in this regard. Further, the petitioner shall also be at liberty to invoke other provisions of Section 64 of the Act for the purpose of redressal of his grievance.

This application is, accordingly, disposed of.

(Chakradhari Sharan Singh, J.)

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