

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2739 of 2018

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Sachidanand Sharma, Son of Ram Asre @ Ramshray Lohar, Resident of
Village- Bishunpur, P.S.- Imadpur Tarari, District- Bhojpur.

... .. Petitioner

Versus

1. The State Of Bihar, through the Principal Secretary, Department of Land Reforms.
2. The District Magistrate, Patna.
3. The Commissioner, Patna Division, Patna.
4. The Collector, Bhojpur, Ara.
5. The District Land Acquisition Officer, Bhojpur, Ara.
6. The Anchal Adhikari, Tarari, District- Bhojpur, Ara.
7. The Director General of Police, Bihar.
8. The Superintendent of Police, Bhojpur, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra
For the Respondent/s : Mr. Sajid Salim Khan -SC-25

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 09-04-2019 Heard learned counsel for the parties.

The petitioner has a grievance that in land acquisition proceedings initiated in 2011-12, the land, belonging to his family, has been acquired without payment of any amount of compensation.

The only document, which the petitioner is relying on, in support of his claim is a letter said to have been written by the Circle Officer, Tarari, addressed to the petitioner's father. The date of the said notice is not visible. Learned counsel for the petitioner has submitted, referring to the statement made in



supplementary affidavit filed on behalf of the petitioner, that the date of the said notice is 01.03.2012. It is also the petitioner's claim that his father, in whose name the said letter dated 01.03.2012 was issued, died in the year 2015. It has been stated in paragraph 9 of the application that the said land has been utilized for construction of a Police building without consent of his family members and save and except the said notice, no step was taken.

The pleadings, which is there on record and the documents, which have been annexed thereto, are completely inadequate for considering the petitioner's grievance of denial of payment of amount of compensation. It appears from the materials on record that the petitioner did not take any effective step to collect the information in respect of the said land acquisition proceedings. It cannot be said at this stage, as to whether the petitioner's father had, in fact, received any amount of compensation or not.

No order, therefore, can be passed, granting the relief, which the petitioner is seeking in the present writ application.

It will, however, be open to the petitioner to collect the information in respect of the said land acquisition proceedings and approach the competent authority under the



Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, or under any other appropriate provisions of lawp, if, according to him, he is entitled to the said amount of compensation.

This application stands disposed of with the aforesaid observations.

(Chakradhari Sharan Singh, J)

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