

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7866 of 2018

1. Gyaneshwar Sah Son of Late Ishwar Sah,
2. Banshidhar Sah, Son of Late Shaligram Sah.
Both residents of Mohalla- Kajipura under Kahalgaon Municipality, P.S.
Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principle Secretary, Land Reforms Department,
Government of Bihar, Old Secretariat, Patna.
2. The Collector, Bhagalpur.
3. The Land Acquisition Officer, Bhagalpur.
4. The Group General Manager, N.T.P.C., Kahalgaon, District- Bhagalpur.
5. The Assistant General Manager, (Law and H.R. N.T.P.C., Kahalgaon,
District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mahesh Narayan Parbat, Sr. Adv. Mr. Sanjay Kumar Jha, Adv.
For the State	:	Mr. Rakesh Kumar Srivastava, AC to G.P.-15

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 25-11-2019

Heard learned counsel for the petitioners and learned
AC to GP15 for the State.

2. The petitioners are aggrieved by the fact that their
private raiyati land had been taken over by the NTPC without
following any procedure or paying any compensation.

3. Initially, learned counsel for the petitioners submitted
that the State had taken the stand that the lands belonged to the
State and thus no acquisition or compensation was required, but



subsequently in a title suit filed by the petitioners, the land has been held to be their private and challenge to the same by the State has also been dismissed by this Court.

4. Pursuant to the order dated 19.11.2019, the Collector, Bhagalpur is present in Court.

5. He submitted to the Court that the present matter was brought to his notice only after the last order. It was submitted that he has taken up the matter, with the NTPC authorities who are in possession of the land being the beneficiary are required in law to make such payment, and after calculation, he has been assured that such payment shall be transferred within two weeks. It was submitted that thereafter matters shall be taken to their logical conclusion, after following the due procedure of law and in any case within six months from today, the due payment to the petitioners shall be made.

6. The court finds such stand to be reasonable.

7. Accordingly, on the basis of stand taken by the Collector, Bhagalpur, the application stands disposed off with a direction to him to ensure that the matter is taken to its logical conclusion and actual payment is transferred in the account of the petitioners latest within six months from today, in accordance with law.



8. Personal appearance of officer stands dispensed with.

(Ahsanuddin Amanullah, J)

Prakash Narayan /-

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