

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15489 of 2018

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Surendra Prasad S/o Late Shukari Mahto, Resident of Village-Barhari, P.S.-
Chhabilapur Rajgir, District-Nalanda Biharsharif.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Revenue Land ----Govt. of Bihar,
Patna.
4. The Secretary, Department of Rural development, Govt. of Bihar, Patna.
5. The Divisional Commissioner, Patna Division.
6. The District Collector-Cum-Land Acquisition Officer, Nalanda Biharsharif
7. The Additional Collector, Land Acquisition Officer, Nalanda, Biharsharif
8. The Sub Divisional Officer, Rajgir, Nalanda Biharsharif
9. The Circle Officer, Rajgir, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Virendra Prasad
For the Respondent/s	:	Mr.Md. Khurshid Alam- AAG-12

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 08-08-2019 Heard learned counsel for the parties.

2. This application has been filed seeking direction to the respondents to pay the petitioner the adequate compensation consequent upon acquisition of his land for the construction of Rajgir Bypass road. The road in question, has already been constructed and it appears that the petitioner was asked to receive the amount of compensation through notice under Section 37(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and



Resettlement Act, 2013, (hereinafter referred to as 'the Act') by the Collector. It is the case of the petitioner that the amount of compensation determined by the respondent is not adequate.

3. In my opinion, the writ proceeding under Article 226 of the Constitution of India is not the correct forum for the petitioner to raise his grievance without raising such grievance invoking provisions under the said Act.

4. This application is, accordingly, dismissed.

5. The order will not come in the way of the petitioner, raising any claim under the provisions of Section 64 of the Act, if such claim can be said to be maintainable, now.

(Chakradhari Sharan Singh, J)

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