

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4837 of 2019

=====

Kameshwar Prasad @ Kameshwar Rai, son of Kanshi Rai, resident of
Village- Gonawan, P.S. Naubatpur, District Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through Addl. Dist. Land Acquisition Officer, Patna.
2. Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.
4. Managing Director, Bihar State Road Development Corporation, Patna
5. District Magistrate cum Collector, Patna.
6. District Land Acquisition Officer, Patna.
7. Addl. District Land Acquisition Officer, Patna.
8. Circle Officer, Naubatpur, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Prabhat Ranjan Singh
For the Respondent/s	:	Mr. Mukul Prasad, AC to GP-18
For the BSRDC	:	Mr. Lalit Kishore, Sr. Advocate
		Mr. Manish Dhari Singh

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-03-2019 The petitioner has a grievance that his land pertaining to Tauzi No. 2760, Khata No. 424, Plot No. 1793, area 17 decimals of Mauza Gonwan, Thana No. 135, Circle Naubatpur, District – Patna, though, has not been notified whereas, another adjoining lands have been notified for acquisition for the purpose of construction of ‘Bihta – Sarmera State Highway No. 78’, the respondent State of Bihar, is proceeding to have possession over his land also.



Learned Counsel for the petitioner contends that in the absence of the land having been notified, the respondents are not determining any compensation amount to be paid and without acquisition of petitioner's land, in no circumstance, the project of construction of a road can be completed.

If the land of the petitioner has not been notified for acquisition, in accordance with the procedure prescribed under the law, land cannot be acquired. This general view, I have expressed without going into the merits of the petitioner's claim that the land belongs to him, which has not been notified.

In view of the nature of grievance which the petitioner has raised, this application is disposed of with a direction to the Land Acquisition Officer to examine the petitioner's claim. It is reiterated that no citizen's land can be acquired without following the procedure and paying compensation.

This application stands disposed of.

(Chakradhari Sharan Singh, J.)

ragini/-

U	✓		
---	---	--	--

