

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7240 of 2019

Shishupal Singh, Son of late Mahavir Singh Resident of Village- Dumari, P.S.
Doriganj, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Registration, Govt. of Bihar, Patna.
3. District Collector Cum Magistrate, Saran.
4. District Land Acquisition Officer, Saran.
5. A.D.M. Saran, Chapra.
6. S.D.O. Sadar Chapra , Saran.
7. Circle Officer, sadar Chapra, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Mishra
For the Respondent/s	:	Mr. Anil Kumar Sinha (GA 1)
		Ms. Aditi Hansaria, AC to GA 1

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-04-2019 If the averments of the petitioner made in the writ application, are taken to be correct, the land of the petitioner's family was acquired and the amount of compensation determined in the year 2011 itself.

A notice was issued in the name of his brother Gopal Singh and in his name on 15.09.2011, whereby they were asked to receive a sum of Rs. 7,54,650/- as compensation against acquisition.

The petitioner has a grievance that till date the said amount has not been paid. The circumstance, in which the



amount of compensation remained unpaid is not duly explained.

The petitioner is claiming that he kept on approaching the authorities for payment of amount of compensation, but no action has been taken so far and the payment has yet not been paid.

From the pleadings on record, I don not find any justification as to why the petitioner is approaching this Court approximately 08 years after he was asked to receive the said amount of compensation as noted above.

Though delay and laches on the part of a person approaching this Court under Article 226 of the Constitution of India may be a ground for refusal by this Court for entertaining the belated claim, in the facts and circumstances of the case this application is disposed of with a direction that let the District Land Acquisition Officer, Saran, examine the petitioner's case as to whether the payment has so far been made or not and if not made, what steps would be required to be taken for payment of the amount of compensation, which the petitioner and other members of his family are entitled to.

(Chakradhari Sharan Singh, J)

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