

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12906 of 2019

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Shyam Mandal Son of Late Satyadeo Mandal Resident of Village and P.O.-
Chanouraganj, P.S.-Jhanjharpur, District-Madhubani,

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Madhubani
2. The District Land Acquisition Officer Madhubani
3. The Project Director, N.H.A-1, Madhubani Darbhanga

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Narayan Mahto
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-06-2019 Though, the matter has been listed under the heading “For Orders (on office notes)”, pointing out certain defects by the Stamp Reporter, I have heard the case on merits and in the nature of controversy involved in the present writ application, I am disposing it of by the present order.

The land of the petitioner was acquired, pursuant to the notices issued on 05.07.2006 and 06.07.2006. From notice dated 10.12.2011, which has been brought on record by way of Annexure-1, it is evident that the amount of compensation was determined and the petitioner was asked to appear before the District Land Acquisition Officer for receiving the amount of compensation. The land has been admittedly acquired under the provisions of the National Highways Act, 1956 (for short ‘ the



Act’).

It is the case of the petitioner that till date the amount of compensation has not been paid to the petitioner.

I am unable to notice any justification in the writ application for the petitioner to approach this Court eight years after the land was acquired, with a plea that the amount of compensation has not been paid, despite the fact that the same has been determined.

However, in the facts and circumstances of the case, I dispose of this writ application with an observation that let the District Land Acquisition Officer examine whether the amount of compensation, as indicated in Annexure-1 to the writ application, has been paid to the petitioner or not, after verifying the correctness of the said document. It goes without saying that if any amount is found to be payable by way of compensation to the petitioner, the same should be paid to him, in accordance with law.

(Chakradhari Sharan Singh, J)

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