

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7487 of 2014

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Umesh Prasad son of Late Bishun Prasad Resident of Village - Mahmadpur,
P.S. Guraru, District - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Commissioner, Magadh Division, Gaya
3. The District Magistrate, Gaya
4. The District Land Acquisition Officer, Gaya
5. The Sub Divisional Officer, Tekari, DIstrict - Gaya
6. The Circle Officer, Guraru, District - Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the State	:	Mr.Raghwanand, G.A.11
		Mr. Sanjay Kr. Tiwary, AC to GA-11

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 08-02-2019 The petitioner claims that he owns land,

appertaining to Khata No.49, Plot No. 512, area 47

decimal, out of which 20.59 decimal has been

acquired by the State Government for construction of

a road in the year 2013.

It is the petitioner's grievance that he has

not been paid his compensation amount.

If it is the petitioner's case that despite

acquisition of his land, he has not been paid his

compensation amount, he has remedy under Section

64 of the Right to Fair Compensation and

Transparency in Land Acquisition, Rehabilitation and

Resettlement Act, 2013 (for shot 'the Act'). Under

the said provisions, the petitioner could have applied



before the Collector for reference to the Authority under the Act.

The petitioner has stated that raising his grievance, he had approached the District Magistrate, Gaya on 18.05.2013 itself by way of a representation, a copy of which has been brought on record by way of Annexure-1 to this writ application.

This is to be noted that the Act came into force with effect from 26.09.2013, and the case of the petitioner, as is being claimed, is relatable to the period prior to that. Since it is the petitioner's case that he has not accepted the award, the Authority can examine his claim for award of compensation in accordance with the provisions of the Act of 2013.

As the matter has remained pending before this Court since 2014, it is directed that if the petitioner makes an application in accordance with Section 64 of the Act within two weeks from today before the Collector, no objection of delay in making the application shall be taken and such application shall be referred to the Authority by the Collector within the time stipulated therein. The Authority will



thereafter consider the pensioner's case in accordance
with law.

This writ application stands disposed of.

(Chakradhari Sharan Singh, J)

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