

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3413 of 2017
Arising out of
Civil Writ Jurisdiction Case No.4308 of 2016

Parma Pandey, son of late Deonath Pandey, resident of Village- Mahna PS-
Bhagwanpur, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms, Department, Bihar, Patna.
2. Director Land Acquisition, namely, Sandip Kumar, Revenue and Land Reforms Department, Bihar, Patna.
3. Sri Mahendra Kumar, The Collector Cum District Magistrate, Siwan.
4. Sri Pradip Kumar, The District Land Acquisition Officer, Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Md. Khurshid Alam, AAG-12

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 01-10-2019

Heard learned counsel for the petitioner and learned AAG-12 for the State.

2. In terms of the order dated 25.09.2019, supplementary show cause has been filed on behalf of opposite parties no.3 to 5. In the same, stand has been taken that though award has been prepared and money is available, but payment has to be made to the rightful claimants and even as per order of the Court dated 17.05.2016 passed in CWJC No.4308 of 2016, the Court had clarified that it had not gone into the merits of the claims raised on behalf of the petitioner and it was left to be decided by the competent authority strictly in accordance with law. It was submitted that various persons have claimed to be co-



sharers in the amount of compensation to be paid for which the matter has been referred to the Land Acquisition, Rehabilitation and Resettlement Authority, Chapra, (hereinafter to be referred as ‘Authority’) where it is pending.

3. Having regard to the aforesaid, the Court finds that the order dated 17.05.2016 passed in CWJC No.4308 of 2016 has not been violated by the authorities.

4. Accordingly, the application stands disposed off.

5. However, it shall be open to the petitioner to contest the matter before the Authority and depending upon the result of the same, the compensation amount would be disbursed to the rightful claimants by the Authority.

6. Before parting, the Court would only observe that since amount of compensation has already been received by the Authority, the proceeding should be taken to its logical conclusion without any unnecessary delay, in accordance with law, and also without giving premium to any party which chooses not to appear.

7. Such observation is subject to co-operation of the parties, which appear before the authority.

(Ahsanuddin Amanullah, J)

J. Alam/-

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