

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16075 of 2019

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Awadh Kishore Singh Son of Late Damodar Singh Resident of Village-
Kurmurhi, Police Station-Sikarahta, District-Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Road Construction, Patna
2. The Collector Bhojpur at Arrah
3. The Land Acquisition Officer Bhojpur at Arrah
4. The Sub Divisional Officer Piro, District-Bhojpur
5. The Circle Officer Tarari in the District of Bhojpur
6. Bihar State Road Development Corporation Ltd. through its Deputy Manager (Technical), Central Project Implementation Unit, Sheikhpura, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Binod Bihari Singh, Advocate
For the State	:	Mr. Subodh Kumar, AC to SC-26
For Respondent No. 6	:	Mr. Lalit Kishore, Sr. Advocate
		Mr. Manish Dhari Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-08-2019 Heard learned counsel for the parties.

This application has been filed seeking direction to the Collector, Bhojpur, Ara to pay adequate compensation to affected *raiyats* of village Kurmurhi in the district of Bhojpur after following the procedure prescribed under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for widening of Bihta-Bihiya State Highway 102.

I have carefully perused the pleadings on record. It



does not appear that acquisition proceeding has been initiated nor the lands of the petitioner appears to have been used for public purpose. In my opinion, cause of action for the petitioner could have arisen only if the respondents had started utilizing the land in question without undertaking any process of acquisition and payment of adequate compensation to the petitioner.

This writ application, in my view, is premature and is accordingly dismissed. However, petitioner shall be at liberty to raise his grievance at appropriate stage, in case, he is refused payment despite acquisition of land for public purpose.

(Chakradhari Sharan Singh, J)

Rajesh/-

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