

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17022 of 2019

1. Ali Imam, Aged about 58 years, Male, Son of late Sheikh Zahir, R/o Village- Bhediharwa, Near Bazaar Samiti, P.S. Banjaria, Motihari, District- East Champaran.
2. Safdar Imam, Aged about 56 years, Male, Son of late Sheikh Zahir, R/o Village- Bhediharwa, Near Bazaar Samiti, P.S. Banjaria, Motihari, District- East Champaran.
3. Kamal Hussain, Aged about 46 years, Male, Son of late Sheikh Zahir, R/o Village- Bhediharwa, Near Bazaar Samiti, P.S. Banjaria, Motihari, District- East Champaran.
4. Sahab Hussain, Aged about 54 years, Male, Son of late Sheikh Zahir, R/o Village- Bhediharwa, Near Bazaar Samiti, P.S. Banjaria, Motihari, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Secretary, Revenue and Land Reforms, Bihar, Patna.
2. The Chief Managing Director, Bihar State Power Holding Company Limited, Vidyut Bhawan, Bailey Road, Patna.
3. The Managing Director, Bihar State Power Transmission Company Limited, Vidyut Bhawan, Bailey Road, Patna.
4. The District Magistrate, Motihari, East Champaran.
5. The District Land Acquisition Officer, Motihari, East Champaran.
6. The Circle Officer, Raxaul, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr. Suraj Samdarshi, Advocate Mr. Vijay Shankar Tiwari, Advocate
For the State	:	Mr. Mukul Prasad, A.C to G.P. 18

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-08-2019 Heard both sides.

The petitioners by filing this writ petition seek quashing
of the notification for acquisition of land for construction of Grid
Power sub-station in Village Bela, P.S. Ramgarhwa, District East
Champaran.



Learned counsel for the petitioners submits that in view of the provisions as contained in Section 10 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the authority should at the first instance acquire barren land but it appears that for construction of Grid Power sub-station more land including the agricultural land is to be required and, therefore, the land acquisition authority on the requisition of Bihar State Power Power Transmission Company Limited issued notification for acquisition of land including lands of the petitioners. The petitioners have filed representation before the C.M.D., Bihar State Power Transmission Company Limited.

Taking into consideration the facts, I dispose of this writ petition without interfering into the notification directing the C.M.D., Bihar State Power Transmission Company Limited to dispose of the representation of the petitioners positively within three months.

With the aforesaid direction, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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