

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1178 of 2019

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Birendra Kumar @ Birendra Sharma and Anr Jagdish Thakur @ Jagdish Sharma. Residents of Village Bhaghar Police Station Barachatti District Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors through the Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
2. The Cillector Gaya. Gaya
3. The Land cquisition Officer, Gaya.
4. The Sub Divisional Officer Sherghati, Gaya.
5. The Secretary, National Highway Authority of India, New Delhi.
6. The Circle Officer Barachatti, Gaya.
7. Rajeshwar Sharma Manki Thakur Resident of Village Bhaghar Police Station Barachatti District Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar
For the Respondent/s : Mr.Sajid Salim Khan (SC-25)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-06-2019 Heard learned counsel for the parties.

2. The petitioner has a grievance that in a notice dated 28.06.2015, issued by the competent authority-cum-District Land Acquisition Officer, Gaya in case No. 111 of 2013-14, name of some other person has been mentioned in place of that of the petitioner against a piece of land sought to be acquired. It is the petitioner's case that the land belongs to him and not respondent No.7 and the name of respondent No.7 has wrongly been mentioned in the said notice. According to



him, the petitioner is entitled for the amount of compensation. The notice was issued way back in June, 2015, whereas, this application has been filed in 2019. the petitioner claims that he has made representation before the District Land Acquisition Officer, Gaya, in this regard, which has not been considered so far. A copy of the said representation has been brought on record by way of Annexure-3. The said Annexure-3 does not, however, show the receiving of the petitioner's representation. It cannot be said on the basis of what has been brought on record that the petitioner had in fact approached the competent authority in accordance with the provisions of National Highways Act, 1956 by raising objection. Therefore, no relief which the petitioner is seeking, can be granted.

3. This order will, however, not come in the way of the petitioner, approaching appropriate authority for redressal of his grievance, if the same is found to be permissible in law.

4. This application stands disposed of.

(Chakradhari Sharan Singh, J)

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