

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19013 of 2019

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Mithilesh Prasad Kunwar Son of Jagdish Narayan Kunwar R/o Nand Lal Tola, Nehru Chowk, Nehru Chowk, Chapra, P.S. Chapra, District Saran at Chapra, resident of A-4, Prachi Kanishka Apartment, Bahadurpur, Bazar Samiti Road, P.S. Bahadurpur, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Secretary Revenue and Land Reforms Department, Government of Bihar, Patna
3. The Director Directorate of Land Acquisition, Government of Bihar, Patna
4. The District Magistrate-cum-Collector Saran at Chapra , District-Saran at Chapra
5. The Competent Authority-District Land Acquisition Officer Saran at Chapra , District-Saran at Chapra
6. The Kanoongo District Land Acquisition Section, Saran at Chapra
7. The Circle Officer Chapra Sadar, District-Saran at Chapra

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh
For the Respondent/s : Mr.Raj Kishore Roy (GP18)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-09-2019 Heard both sides.

The learned counsel for the petitioner submits that land of the petitioner was acquired by the Land Acquisition Authority under Section 3G of the N.H.A.I. Act, 1956 but the amount of compensation was not calculated in accordance with new Act regarding land acquisition. The petitioner filed representation (annexure-5) dated 13.04.2016 before the District Magistrate, Saran but the same is still pending.



Having considered the facts aforesaid, I find that the District Magistrate, Saran, being the Land Acquisition Authority, is duty bound under the NHAI Act to consider the objection of the petitioner with regard to amount of compensation to be paid to the land owner within a reasonable time and if the land owner is not satisfied then the matter would be referred to the Arbitrator appointed under the Act. Accordingly, I dispose of this writ petition with a direction to the District Magistrate, Saran at Chapra to dispose of the representation of petitioner (annexure-5) in accordance with law within two months from the date of receipt of this order.

This writ petition stands disposed of.

(Prabhat Kumar Jha, J)

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