

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19236 of 2019

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1. Kamod Kumar Jha @ Kamod Jha S/o Anirudh Jha, R.o Village-Chahunta, P.S.-Katra, District-Muzaffarpur
 2. Kameshwar Jha, S/o Late Babu Jha R.o Village-Chahunta, P.S.-Katra, District-Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Acquisition and Rehabilitation, Bihar, Patna.
2. The Principal Secretary, Department of Water Resources, Bihar, Patna.
3. The Joint Secretary Cum Director, Department of Land Acquisition and Rehabilitation, Water Resources Department, Bihar, Patna.
4. The District Magistrate, Muzaffarpur.
5. The Special Land Acquisition Officer, Gandak Project, Muzaffarpur.
6. The Executive Engineer, Baghmata Division Gandak Project, Runisaidpur, District-Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : M. Murari Narain Chaudhary, Adv.
Mr.Vijay Kumar, Adv.
For the Respondent/s : Mr.Anjani Kumar (AAG4)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-09-2019 Petitioners have filed this writ petition for quashing Annexure 1 and Annexure 1/A dated 12.06.2019 by which the Special Land Acquisition Officer, Gandak Project, Muzaffarpur issued notices to petitioner nos.1 and 2 to deposit Rs.3,98,778/- and Rs.1,62,888/- respectively as they illegally received compensation of the land acquired for construction of left embankment of Baghmata river.

2. Learned counsel for the petitioners submits that



19.45 acres of land was acquired and award was prepared after verification of all the documents and only thereafter the amount of compensation was paid to the petitioners but without asking any show-cause, notices were issued to the petitioners through Annexure 1 and Annexure 1/A to deposit the amount already received by them. It is further submitted that the order does not disclose any fact that on what grounds the petitioners have been directed to return the amount of compensation already paid to them.

3. On perusal of Annexure 1 and Annexure 1/A, it appears that the Special Land Acquisition Officer, Gandak Project, Muzaffarpur directed the petitioners to appear and deposit the amount already received by them as compensation for land acquisition. It transpired that the enquiry was held and it was found by a three-level committee that many persons illegally received compensation for acquisition of land. Therefore, I find that the petitioners must appear before the authority and show the papers with regard to acquisition of their lands and payment of compensation to the petitioners. The petitioners have already filed representation before the authority vide Annexure 2 on 21.06.2019.

4. Having considered the facts, I dispose of this writ



petition with a direction to the Special Land Acquisition Officer/District Land Acquisition Officer, Muzaffarpur to consider the representation of the petitioners and after looking into the entire records and the documents, pass order in accordance with law within four months from the date of receipt of this order.

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

(Prabhat Kumar Jha, J)

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