

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14236 of 2017**

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1. Harichandra Yadav
2. Kailash Yadav
3. Ramchandra Yadav, All are son of Late Rameshwar Yadav,
4. Lalmuni Devi, wife of Late Raj Kumar Yadav, All are Resident of Village- Sasna, P.S.- Dadem O.P. Nabinagar, and District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Land Revenue and Reforms, Patna, Bihar
2. The District Magistrate cum Collector, Aurangabad.
3. The District Land Acquisition Officer, Aurangabad.
4. The Chief Executive Officer, Nabinagar Power Generating Company, Baraun, P.S.- Barun, District- Aurangabad
5. Ram- Raj Singh son of Late Chandradeo Singh
6. Santosh Singh
7. Pramod Singh 6 and 7 are sons of Ram Raj Singh, All are Resident of Village- Rahra, P.S.- Nabinagar and District- Aurangabad.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr.Anirudh Kumar Verma             |
| For the State        | : | Mr.Rishi Raj Sinha -SC-19          |
|                      |   | Mr. Birendra Pd. Singh AC to SC 19 |

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

4      14-08-2019                      Though, the case has been listed with office notes, pointing out certain defects, considering the nature of dispute involved, ignoring the said defects, I have proceeded to dispose of the writ application, after hearing the learned counsel for the parties.

This writ application has been filed, seeking a direction to the respondents to pay the amount of compensation,



consequent upon the acquisition of the petitioners' land.

It is the case of the petitioners that they had purchased a piece of land, appertaining to Khata No. 64, Plot Nos. 692 and 693, admeasuring 66 decimal from respondent no.5, located in village Rahra, in the district of Aurangabad, through a registered sale deed dated 15.07.1996. It is their case that they were residing outside and, therefore, they did not have any knowledge about notices issued under Section 9 or the award prepared under Section 12(2) of the Land Acquisition Act, 1894 (for short 'the Act').

It is stated by the petitioners that the award was prepared in 2014.

There is a vague statement in paragraph 7 of the writ application that because the petitioners lived outside, they were unaware of the notices issued or the award prepared under Sections 9 and 12(2) of the Act.

It is, however, the petitioners' case that they made an application before the District Land Acquisition Officer for payment of compensation.

The fact remains that the petitioners did not comply with the requirements under the Act, claiming the amount of compensation. On the basis of a vague averment made in the



writ application, the relief, as sought for, cannot be allowed.

However, in the facts and circumstances of the case, this writ application is disposed of with an observation that let the District Land Acquisition Officer, Aurangabad, dispose of the Case No. 02 of 2015, registered on the basis of the petitioners' application, within two months from the date of receipt/production of a copy of this order.

**(Chakradhari Sharan Singh, J)**

HR/-

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