

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23122 of 2019

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Ganesh Kapar Son of Late Jagdeo Kapar Resident of Village- Basudeopur,
Ekari, P.S.- Madhawapur, Distt.- Madhubani (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Madhubani.
2. The District Magistrate (Collector), Madhubani.
3. The Deputy Collector Land Reforms (DCLR) Benipatti, Madhubani.
4. The Circle Officer, Madhawapur, Madhubani.
5. The Project Director, National Highway Authority of India (NHAI),
Darbhanga.
6. The Divisional Commissioner Cum Arbitrator, NHAI, Darbhanga Division,
Darbhanga.
7. The Competent Officer Cum District Land Acquisition Officer, NH 527C
Project, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shashi Nath Jha
For the Respondent/s	:	Mr.Subash Chandra Yadav (G.P.15)
		Mrs. Sanghmitra Chosh, A.C. to G.P.15
For the N.H.A.I.	:	Mr. S.N.Pathak, S.C./N.H.A.I.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-12-2019 Heard both sides.

The petitioner filed this writ petition for a direction to the respondents to pay the amount of compensation to the petitioner in accordance with law as part of the land of the petitioner which was settled in favour of the petitioner by the Bhoodan Yagya Committee has already been acquired by N.H.A.I.

Learned counsel for the petitioner submits that the land settled in favour of the petitioner has wrongly been



recorded in the name of State of Bihar as Anabad Bihar Sarkar in the record of rights. The petitioner filed petition before the D.C.L.R. for correction of record of rights. The D.C.L.R. has already corrected the name of the petitioner under B.L.D.R. Act. The petitioner filed a petition before the Commissioner, Darbhanga Division which was dismissed by order dated 11.03.2019 holding that the petition is premature.

If the notice under Section 3A of N.H.A.I. Act is issued showing the intention to acquire the land but the petitioner was not noticed as record of rights stand in the name of State of Bihar as Anabad Bihar Sarkar, the petitioner is directed to file petition before the District Land Acquisition Authority about the entitlement of the petitioner to get compensation and the District Land Acquisition Authority shall dispose of the petition of the petitioner in accordance with law.

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

(Prabhat Kumar Jha, J)

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