

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8646 of 2018

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Bimal Kishore Prasad, Son of Late Dr. Shiv Shankar Prasad, Resident of
Mohalla- Patwatali, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Development Department,
Government of Bihar, Patna
2. The District Magistrate, Vaishali at Hajipur.
3. The Sub-Divisional Officer, Hajipur, Distt- Vaishali at Hajipur.
4. The Superintendent of Police, Vaishali at Hajipur.
5. The Deputy Collector Land Reforms, Hajipur, District- Vaishali at Hajipur.
6. The Circle Officer, Lalganj Block, District Vaishali.
7. The S.H.O. Lalganj Police Station, Distt- Vaishali.
8. The Mukhiya, Panchayat Raj Kharauna, Lalganj Block, Distt- Vaishali.
9. The Panchayat Sachiv, Panchayat Raj Kharauna, Lalganj Block, District-
Vaishali.
10. Raj Kumar Sah, Member of Legislative Assembly, Lalganj Constituency,
Distt- Vaishali, Son of Late Rajendra Sah, Resident of Village- Sahpur
Kasim, P.S.- Lalganj, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.II
For the Respondent/s : Mr. Vinay Kriti Singh- Ga2

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 29-04-2019 Heard learned counsel for the petitioner and the State.

The grievance of the petitioner in the present writ
application is that his land is used by the respondents for
construction of road without acquisition of land or after
payment of compensation in accordance with law.

Annexure-A enclosed with the counter affidavit
indicates that the land belongs to the petitioner and once it is



admitted that the road has been constructed upon the land of the petitioner, it is the duty of the respondents to pay compensation to the petitioner.

In view of the above, this writ application is disposed of with a direction to respondent no.2, District Magistrate, Vaishali at Hajipur to examine the claim of the petitioner and if it is found that the land belongs to the petitioner and his name is standing in the Revenue Record, the petitioner shall be paid compensation in terms of 2013 Act for fair compensation. Necessary decision with regard to payment of compensation must be taken by the respondent District Magistrate, Vaishali within a maximum period of four months from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

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