

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24154 of 2019

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1. Bhanu Pratap Singh, S/o Late Ram Naresh Singh, Resident of House No. 155 B, Patliputra Colony, P.O. and P.S.-Patliputra, Distt-Patna.
 2. Brij Mohan Singh, S/o Sri Ram Bilash Singh, Resident of Village-Raxa near Petrol Pump, P.O. and P.S.-Ekangarsarai, Distt-Nalanda.
 3. Jageshwar Prasad, S/o Ramjivan Prasad, Resident of Village-Raxa, P.O. and P.S.-Ekangarsarai, Distt-Nalanda.
 4. Dhananjay Paswan, S/o Chandrika Paswan, Resident of Village-Raxa, P.O. and P.S.-Ekangarsarai, Distt-Nalanda.
 5. Raj Kumar Prasad, S/o Rameshwar Gope, Resident of Village-Raxa, P.O. and P.S.-Ekangarsarai, Distt-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Commissioner, Patna Commissioner, Patna.
3. The Director, Land Acquisition, Bihar, Patna.
4. The District Magistrate, Nalanda, Bihar Sharif.
5. The Land Acquisition Officer, Nalanda, Bihar Sharif.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Hemant Kumar Karan, Advocate
For the State	:	Ms. Prakritita Sharma, AC to SC 25

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 05-12-2019

Heard learned counsel for the petitioners and learned
AC to SC 25 for the State.

2. The petitioners have moved the Court for the
following reliefs:

*“(i) Your Lordship may graciously be
pleased to direct the respondents to grant
appropriate award/compensation to the petitioners
in respect of land expropriated by the Govt. in
exercise of its power for the purpose of making
Ekangarsarai Bypass in SH 04 through Raxa*



village.

(ii) For an appropriate writ, order/orders or direction/s which your lordship may deem fit and proper in the facts and circumstances of the case.”

3. At the very outset, learned counsel for the State submitted that the petitioners now have to move before the authority under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as the ‘Act’).

4. Faced with the situation, learned counsel for the petitioners submitted that the writ petition be disposed off with liberty to them to move before the aforesaid forum.

5. In view thereof, the writ petition stands disposed off with liberty to the petitioners to raise their grievance before the authority under Section 64 of the Act.

6. If the petitioners move the Collector under Section 64 of the Act for reference, necessary action shall be taken by the Collector and thereafter by the authority in the matter, in accordance with law.

(Ahsanuddin Amanullah, J)

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