

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24549 of 2019

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1. Umesh Kumar Upadhyay @ Umesh Kumar Son of Late Radha Raman Upadhyay Resident of Village- Vishwanabharpur, Police Station- Bihta, Distt. Patna at present resident of House No. 291/5 Sainik Vihar Dhilwan Road Rama Mandi Jalandhar Cantt Dakoha Jalandhar, Punjab.
 2. Rameshwar Upadhyay Son of Late Brijbhusan Upadhyay Resident of Village- Vishwambharpur, Police Station- Bihta, Distt. Patna at present resident of House No. 487/6 Sainik Vihar, Dhilwan Road Ramamandi Jalandhar Cantt, Punjab.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar Old Secreteriate Patna.
2. The Principal Secretary Revenue and Land Reform Deptt. Govt. of Bihar, Patna.
3. The Collector, Patna District Patna.
4. The District Land Acquisition Officer, Patna.
5. The Circle Officer Bihta Block Bihta Distt.- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Dwivedi
For the Respondent/s : Mr.Rishi Raj Sinha (SC19)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-12-2019 Heard both sides.

On the objection of the petitioners, the petitioners were directed to appear before the Land Acquisition Authority by Annexure-2 with documents showing the ownership of the land but the petitioners did not appear on 19.09.2017 and compensation was paid to the person who produced the land possession certificate.

This Court, in writ jurisdiction, cannot make any



hovering inquiry with regard to the entitlement of a person to receive the compensation. There is a provision in the Land Acquisition Act(Act 30 of 2013) that if the Land Acquisition Authority finds that there is dispute with regard to entitlement of a person to receive compensation or with regard to apportionment of compensation, the Land Acquisition Authority shall refer the matter under Section 64 of the Act to the competent authority but the petitioners did not file any objection. Therefore, I do not find any merit in this writ petition. Accordingly, this writ petition is dismissed.

The petitioners, if so advised, may file petition before the Land Acquisition Authority who shall decide the same in accordance with law.

(Prabhat Kumar Jha, J)

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