

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20957 of 2018

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Bishambhar Tiwari S/o Late Sukh Nandan Tiwari, resident of Village-
Pithiayawon, P.O.- Dihi Jee, P.S.- Chenari, District- Rohtas.

... .. Petitioner

Versus

1. The State Of Bihar
2. The District Magistrate, Rohtas at Sasaram.
3. Additional District Magistrate, Rohtas at Sasaram.
4. Zila Lok Sikayat Niwaran Padadhikari, Rohtas at Sasaram.
5. Circle Officer, Chenari.
6. Karya Palak Abhiyanta, Nahar Pramanda, Chenari.
7. Zila Awar Nibandhak, Rohtas, Sasaram.
8. Land Acquisition Officer, Rohtas at Sasaram.
9. Up Vikash Aayukt Cum Kukhiya Karyapalak Padadhikari Parishad, Rohtas Sasaram.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Ragheev Hasan, Senior Advocate
Mr. Fahad Khurshid, Advocate

For the Respondent State: Mr. Rakesh Kr. Shrivastava, AC to GP-15

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 06-08-2019 The petitioner is claiming compensation treating his land to be residential in nature, which is said to have been acquired under 'Bihar Raiyati Bhoomi Lease Niti, 2014'. The description of the land has been given in paragraph 4 of the writ application, which reads as under : -

“Khata No. 90, Plot No. 546, Area 0.3 decimals
and Khata No. 93, Plot No. 547, area 21 decimal
having total area 24 decimal, situate in Mauja Pithiaon,
P.S. No. 53, P.S.-Chenari, District Rohtas.”



It seems that in course of some exercise, the authorities have held the nature of the land to be agricultural, whereas it is the petitioner's case that the nature of the land is residential, as has been found by the Deputy Collector Land Reforms in his letter No. 281 dated 11.07.2018. The petitioner had approached the Public Grievance Redressal Officer also by making an application, which has been disposed of by order dated 08.09.2018, a copy of which has been brought on record by way of Annexure-5 to the writ application. The Public Grievance Redressal Officer has also recorded his opinion that the petitioner can claim the amount of compensation treating the nature of the land to be agricultural.

The petitioner has approached the District Magistrate, Rohtas, by making a representation dated 25.08.2018. The pleadings in the writ application do not disclose at all the provision/scheme under which the land in question has been acquired.

This application is, thus, disposed of. The petitioner shall be at liberty to pursue his remedy before the appellate authority against the decision of the Public Grievance Redressal Officer.

It is recorded that if the petitioner has entered into any



lease agreement with the State of Bihar under ‘Bihar Raiyati Bhoomi Lease Niti, 2014’, the petitioner cannot claim any amount more than what he is entitled to in terms of the said lease agreement.

(Chakradhari Sharan Singh, J)

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