

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17769 of 2018

1. Akhil Bhartiya Barh, Sukhar Avam Kataw Pirit Sangharsh Morcha through its President Ram Bhajan Singh Yadav, Son of Late Ram Anuj Rai, Resident of Mohalla- Awasthi Ghat, P.O.- Digha, P.S.- Danapur, District- Patna- 800012.
2. State President of Youth Wing Sanjay Kumar Singh, Son of Late Ram Padarath Singh, R/o Gola Road, Bir Kunwar Singh Path, P.S.- Rupaspur, P.O.- Danapur, District- Patna- 80503.
3. Smt. Shobha Devi, State Secretary, Akhil Bhartiya Barh, Sukhar Avam Kataw Pirit Sangharsh Morcha, Wife of Yogendra Shrivastava, R/o Mohalla- Chitrakut Nagar, P.S. Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Urban Development and Housing Development, Bihar, Patna.
3. The Principal Secretary, Revenue and Land Reforms, State of Bihar, Patna.
4. The Director General of Police, Bihar, Patna.
5. The Collector Cum District Magistrate, Patna.
6. The Officer-in-Charge, Digha and Rajeev Nagar Police Station, Rajeev Nagar, Patna.
7. The Managing Director, Housing Board, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar, Advocate
For the Respondent/s	:	Mr. Lalit Kishore, AG
For the BSH Board	:	Mr. Anshuman Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 01.09.2018 is listed for hearing
for the first time today before the Court.

The petitioners have prayed for the following reliefs:

“(i) To issue rule in the nature of



Mandamus, commanding the Respondents to come and sit with agitationist, who are sitting on Dharna to settle down the genuine grievance of the petitioners in respect of land of Digha Rajiv Nagar, Nepali Nagar, Chandra Bihar Colony for which a peaceful Dharna has been continuing at Digha Ghurdaul Road Chauraha and POLSON Road, Digha- Patna, since last about two hundred and fifty days.

(ii) To issue rule in the nature of Mandamus commanding the respondents to drop the land acquisition proceeding due to delay and non-payment of compensation amount in the light of Government Circular issued vide Letter No.01/2014-283 dated 26.2.14.

(iii) To command the respondents not to take unlawful stand of eviction specially when neither final award under Land Acquisition Act has been made nor compensation amount has been paid to the farmers.

(iv) To grant any other relief or reliefs to which the petitioners are legally entitled.”

Learned Advocate General states that the matter with regard to acquisition proceedings already stands settled by the Hon’ble Supreme Court of India.

Learned counsel for the petitioners states that the petitioners shall be content, if permission is granted to each one of the petitioners or similarly situated persons to approach the



appropriate authority for release of the compensation, if not so already released, which the petitioners or similarly situated persons shall be making afresh within a period of four weeks from today.

Prayer is accepted.

We dispose of the writ petition reserving liberty to the petitioners or similarly situated persons to approach the appropriate authorities in accordance with law for release of the monetary compensation, if not so already released.

We are hopeful that as and when any such request is received by the appropriate authorities, the same shall be considered and decided with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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