

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 25727 of 2019

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Ramvilash Singh @ Rambilash Singh, aged about 64 years, Sex-Male, Son of Late Raghuwar Singh, Resident of Village- Lakhaipur, P.S.- Narali Kala Khurd, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar, through Secretary Rural Works Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Aurangabad.
3. The Sub- Divisional Officer, Aurangabad.
4. The Land Reform Deputy Commissioner, Aurangabad.
5. The Circle Officer Barun, Aurangabad.
6. The Mukhiya, Gram Panchayat Raj Dhamni Block + P.S.- Barun, District- Aurangabad.
7. The Panchayat Sachiv, Gram Panchayat Raj Dhamni Block + P.S.- Barun, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Rupa Kumari and Mr. Yugal Kishore, Advocate
For the State	:	Mr. Ashok Kumar Gupta, AC to GP 10

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 06-01-2020

Heard learned counsel for the petitioner and learned AC
to GP 10 for the State.

2. The petitioner has moved the Court for the following
reliefs:

*“That this is an application for issuance
of writ of Mandamus or an appropriate writ
directing the respondents to pay the petitioner the
full compensation as per current Government
circular for land compensation under Land
acquisition Act along with the interest as per current*



bank rate, thereof for the land of the petitioner bearing, Thana no. 182, Khata no. 19, Plot No. 253, total Area 11 decimal and plot no. 262, area, 56 decimal in Gram Panchayat Raj Lakhaipur, P.S.- Narali Kala Khurd, District-Aurangabad, which has been occupied / Encroachment by respondent no.-6 & 7 for construction of road under Manrega Project without any notice to the petitioner and forcefully disposes the petitioner from his ancestral land and forcefully filed soil in the land of petitioner and in this way the land under question became worthless to the petitioner Or direct the respondent authority to vacant the aforesaid land and give the same to the petitioner in it's original position as prior to making/constructing road over the land of the petitioner as neither land of the petitioner has been acquired nor for acquiring the land any notice has been ever served upon the petitioner as no proceeding under land acquisition Act ever started And/Or for issuance of any other direction/order for which the petitioner is legally entitled in the fact and circumstances of the case and direct the respondents not to start the construction work till final disposal of this application."

3. Learned counsel for the petitioner submitted that his land has been used under the MGNREGA Scheme but compensation has not been paid.

4. Learned counsel for the State submitted that the Sub-Divisional Public Grievance Redressal Officer, Aurangabad by order dated 11.10.2019 has given a finding with regard to MGNREGA work having been performed on the private land of the petitioner. It was pointed out that the matter was closed with the observation that the petitioner may move before the Lokpal MGNREGA, Aurangabad by filing representation.



5. Learned counsel for the petitioner submitted that he may be permitted to do that and the Lokpal in turn be directed to dispose of the same expeditiously.

6. Learned counsel for the State does not oppose.

7. In view thereof, the writ petition stands disposed off with liberty to the petitioner to file a detailed representation in the matter before the Lokpal MGNREGA, Aurangabad. If the same is done within four weeks from today, the Lokpal MGNREGA, Aurangabad shall look into the matter and after hearing the parties pass a reasoned order within six weeks from the date of filing of the representation. Whatever necessary follow up actions are required to be taken up by the authorities, the same shall be done within four weeks from the passing of the order by the Lokpal.

(Ahsanuddin Amanullah, J.)

Anand Kr.

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