

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 893 of 2020

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Husna Khatun, Female aged about 59 Years, Wife of Md. Ashfaq, resident of Village- Gaisal Basti, P.O.- Dhantola, P.S. Islampur, District- Uttar Dinajpur, Pin Code- 733213 (West Bengal).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Collector-cum- District Land Acquisition Officer, Kishanganj, District- Kishanganj (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raju Giri and Mr. Santosh Kumar Mishra, Advocates
For the State	:	Mr. Md. Sajid Salim Khan, SC 25

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

ORAL JUDGMENT

Date : 20-01-2020

Heard learned counsel for the petitioner and learned SC
25 for the State.

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

“I. To issue an appropriate writ/order /direction, in the nature of Certiorari quashing the Memo No. 300 dated 04.02.2019 issued by the Collector-cum-Land Acquisition Officer, Kishanganj by which it has been informed to the petitioner that the Award of the land of the Petitioner acquired for constructions of Araria-Galgalia New B. G. Rail Line has been ascertained as Rs. 65,513/- (Rupees Sixty Five thousand Five Hundred Thirteen Only) and has been requested to receive the amount after



producing appropriate papers of the land in question (as contained in Annexure-4).

II. To issue an appropriate writ/order/direction, holding the Award of the compensation amount of Rs. 65,513/- under Section 23 & 30 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as the “2013 Act”) as illegal, null and void as the same has been prepared against the Principle of Natural Justice and without disposing of the objection, which was mandatorily required under Section 23 of the 2013 Act.

III. To issue an appropriate writ/order/direction, directing the Respondents to dispose of the objection of the Petitioner filed under Section 21 of the 2013 Act in the manner as laid down under Section 23 of the 2013 Act.

IV. To any other relief or reliefs for which the Petitioner is found to be entitled in the facts and circumstances of the case.”

3. Learned counsel for the State submitted that along with the petitioner’s case all similar matters have been referred to the Land Acquisition Rehabilitation and Resettlement Authority, Purnea (hereinafter referred to as the ‘Authority’), on 18.11.2019.

4. Learned counsel for the petitioner submitted that the Authority may be directed to dispose off the matter within a fixed time period.

5. Having regard to the aforesaid, the writ petition stands disposed off with a direction to the Authority to dispose off the matter, as far as it relates to the petitioner, expeditiously and latest within three months from the date of production of a copy of this



order, in accordance with law, after giving opportunity of hearing
to all concerned, including the petitioner.

(Ahsanuddin Amanullah, J.)

P. Kumar

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