

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2350 of 2020

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Laliteshwar Kumar Son of late Fanindra Ray, Resident of Village- Abuchak,
P.S. Vaishali, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Muzaffarpur.
2. The District Land Acquisition Officer, Muzaffarpur.
3. The Sub Divisional Magistrate(West), Muzaffarpur.
4. The Project Manager, NHAI Railway.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Nachiketa Jha
For the Respondent/s	:	Mr.Sajid Salim Khan (SC25)
		Mr. W.A. Khan, A.C. to S.C.25
For the N.H.A.I.	:	Mr. S.N.Pathak(S.C.)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 14-02-2020 Heard both sides.

The petitioner in this writ petition seeks direction to the respondents to pay the compensation amount at the rate of commercial valuation of the lands instead of Bhit and Dhanhar.

Learned counsel for the petitioner submits that his land of Khesra No.132 Khata No.72 area 52 decimals, Khesra No.111 of Khata No.122 area 18 decimals, Khesra No.133 area 16 decimals and Khesra No.213 area 8 decimals were acquired for construction of Hajipur-Sugauli Railway Line situated in village Abuchak, P.S. and Circle-Saraiya, District-Muzaffarpur. The further case of the petitioner is that the petitioner filed objection before the Land Acquisition Authority for revaluation



of their lands on the basis of the nature of the lands as the lands of the petitioner is commercial but the same is shown as Bhit and Dhanhar. The authority also inspected the land and found the nature of the land as commercial but the Land Acquisition Authority did not consider this aspect and passed order for payment of compensation of the land.

Taking into consideration of the facts that the petitioner has got alternative remedy to file appeal against the order of Land Acquisition Authority before the appropriate authority, I dispose of this writ petition with a direction to the petitioner to file appeal before the appropriate authority who shall consider the case of the petitioner in accordance with law within six months from the date of receipt of this order.

(Prabhat Kumar Jha, J)

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