

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6985 of 2020

=====

Sunil Kumar Singh Son of Late Praduman Singh, Resident of Village Bhitia,
P.S. Fulidumar, District- Banka.

... .. Petitioner

Versus

1. The State of Bihar
2. Principal Secretary, Revenue and Land Reforms Department,
Government of Bihar, Patna.
3. Principal Secretary, Road Construction Department, Government of
Bihar, Patna.
4. Director, Land Acquisition Department, Government of Bihar, Patna.
5. Engineer in Chief Cum Additional Commissioner, Cum Special Secretary,
Road Construction Department, Government of Bihar, Patna.
6. Commissioner, Bhagalpur Division, Bhagalpur.
7. District Magistrate Cum Collector, Banka.
8. Deputy Development Commissioner, Banka.
9. District Land Acquisition Officer, Banka.
10. Circle Officer, Fulidumar, Banka.
11. Chief Engineer(South), Road Works Department
12. Executive Engineer, Road Works Department, Road Division, Banka.
13. Sub Divisional Officer, Road Works Department, Banka.

... .. Respondents

=====

Appearance :

For the Petitioner : Mr. Rajiv Kumar Singh, Advocate
For the Respondents : Mr. Subash Chandra Yadav, GP-15

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 30-11-2021

Heard learned counsel for the petitioner and learned
counsel for the respondents. Learned counsel for the petitioner
hereby undertakes to remove all defects pointed out by the Stamp
Reporter as and when required. It is accordingly directed that all
defects pointed out by the Stamp Reporter be removed within one
month hereof.



2. The present writ petition has been filed for the following reliefs as formulated by the petitioner-

“(i) A writ in the nature of Mandamus or any other appropriate writ, order, direction commanding the respondents to act in accordance with law and to further direct the respondents to make payment of compensation amount with interest for admitted portion of land acquired in Mauja Bhitia Thana No. 94/28 Khata No. 115, Khesra No. 1112, Rakwa 43 Decimal, Khata No. 115, Khesra No. 1174 Rakwa 0.043 Decimal, Khata No. 115, Khesra No. 1174 Rakwa 0.04 Decimal and Khata No. 115 Khesra No. 1202 Rakwa 0.30 Decimal for construction of Banka Belhar Road in accordance with new Rule of Land Acquisition which is also stands proved by the Enquiry Report of Anchal Amin Fulidumar dated 06.01.2020 to the Circle Officer, Fulidumar Banka as per his direction and also quashing the order dated 09.01.2020 passed by the Circle Officer, Fulidumar, Banka.

(ii) Any other relief/reliefs to which the petitioner is found entitled for.”

3. Learned counsel for the petitioner submits that the petitioner is entitled to payment of compensation and in respect of which representations dated 05.12.2019 (Annexure-5) and dated 27.01.2020 (Annexure-6) have been filed before the Collector, Banka which have however not been disposed of. It is submitted that it will suffice if a direction for disposal of such representations



be issued and in such event the writ petition need not be decided on its merits.

4. Learned counsel for the respondents appears and has been heard.

5. Having regard to the nature of the grievance of the petitioner, the writ petition is disposed of with a direction to the District Magistrate-cum-Collector, Banka (respondent no. 7) to consider and dispose of the representations of the petitioner, said to have been filed on 05.12.2019 and 27.01.2020 (Annexures 5 and 6), if still pending, on its own merits in accordance with law and after grant of an opportunity of hearing to the petitioner, expeditiously and in any event preferably within a period of three months from the date of receipt/production of a copy of this judgment.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

Ibrar//-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	02.12.2021
Transmission Date	N.A.

