

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8225 of 2016

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Jai Kishore Singh, Son of Late Jago Singh Resident of village - Top, P.S.
Sajahanpur, Anchal - Daniyanawa, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms,
Government of Bihar, Patna
3. The District Magistrate - Cum - Collector, Patna District Patna
4. The District Land Acquisition officer, Patna
5. The Circle Officer, Phulwari, Patna, District Patna
6. The General Manager, East Central Railway, Hajipur, District - Vaishali
7. The Chief Administrative Officer, Construction, Mahendru Ghat, Patna
8. The Chief Engineer, Construction, Neora, Daniyawan, Badi Railway Line,
Mahendru Ghat, Patna
9. The Deputy Chief Engineer, Construction, Neora Daniyawan, Badi Railway
Line, Mahendur Ghat, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prashant Sinha, Advocate Ms. Shilpi Keshri, Advocate
For the Respondent/s	:	Mr. Ashok Kr.Choudhary, AAG 13 Dr. K.N.Singh, A.S.G. Mr. Kumar Priya Ranjan, CGC.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

10 04-03-2021

Petitioner has prayed for the following relief(s):-

“For issuance of writ in the nature of
mandamus or any other appropriate writ or writs,
direction or directions commanding the respondent
to initiate a fresh proceeding under the provisions of
the Right to Fair Compensation and Transparency in
Land Acquisition, Rehabilitation and Resettlement



Act, 2013 (hereinafter to be referred as Act, 2013”) as amended up to date with regard to acquisition of Land in village-Madarichak, Thana No. 94 P.S.-Fathuah, P.O-Top, District-Patna for the construction of Neora, Daniyawa Badi Railway Line as the previous land acquisition case No. 1 of 2007-08 has lapsed in view of Section 24 of the 2013 Act because although the petitioner’s land was acquired under L.A. Case No. 1 of 2007-08 but neither any notice was issued to the petitioner nor any compensation amount was paid to the petitioner nor the possession of the land was taken by the Railway and the land in question is continuing in cultivating possession of the petitioner and more than 5 years have lapsed when the new Act, 2013 has come into force on 26.09.2013 and for grant of any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of this case.

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw this petition reserving liberty to file a fresh petition on the same and subsequent cause of action.

Permission granted.

Present petition stands disposed of as withdrawn.

We clarify that as and when such petition is filed, the same shall be tagged and heard along with CWJC No. 11354 of 2017, titled as **Pushpa Rani Vs. The State of Bihar**.



It stands clarified that the record of this petition shall be tagged along with CWJC No. 11354 of 2017, titled as Pushpa Rani Vs. The State of Bihar, unless the same is tagged with other cases.

(Sanjay Karol, CJ)

(S. Kumar, J)

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