

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2283 of 2020

1. Lauria SKG Sugar Limited and Lauriya STP Limited, P.S. Lauriya, District-West Champaran, a subsidiary of Turner Morrison and Company Limited through Sri Shanker Prasad, General Power of Attorney Holder.
2. Sri Shankar Prasad, Son of Late Sita Ram Prasad, Resident of Uttar Mohalla, P.O. and P.S.-Mirganj, District-Gopalganj, Pin-841438, the General Power of Attorney Holder of Turner Morrison and Company Limited and its subsidiaries Lauria SKG Sugar Limited and Lauriya STP Limited, P.S. Lauriya, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Commissioner, Sugarcane Corporation Ltd. Bihar, Patna.
3. The Commissioner-cum-Secretary, Industries Department, Government of Bihar, Patna.
4. The Secretary-cum-Commissioner, Excise Department, Government of Bihar, Patna.
5. The District Magistrate, West Champaran.
6. The Sub Divisional Officer, Bettiah, West Champaran.
7. The Superintendent of Police, West Champaran.
8. The Sub Divisional Police Officer, West Champaran.
9. The Circle Officer, Lauriya, West Champaran.
10. The Station House Officer, Lauriya, District-West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jagnnath Singh, Advocate
For the Respondent/s : Mr.Subhash Prasad Singh (GA3)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-09-2022

Petitioners have prayed for the following relief(s):

“For issuance of a writ in the nature of



Mandamus or any other appropriate writ, rule, direction commanding the respondent authorities to release the Lauriya S.K.G. Sugar Limited & Lauriya S.T.P. Limited and its landed property from acquisition which were acquisitioned by the Respondent State Government by an enactment called Bihar Sugar Undertaking (Acquisition) Act, 1985 and did not pay any compensation to its owner till date nor released the acquisitioned property of the petitioner and allowed the Lauriya S.K.G. Sugar Limited & Lauriya S.T.P. Limited to be turned into scrap by alienating the entire property without any security, safeguard and with no proper protection resultantly the landed property has been illegally encroached upon, the machineries are being stolen away as it has already turned into scrap and therefore, the respondent State is required to pay a suitable amount of compensation as assessed by this Hon'ble Court for turning a running Lauriya S.K.G. Sugar Limited & Lauriya S.T.P. Limited to be turned into scrap by taking the possession of the landed property and the Sugar Mills by virtue of an Acquisition proceeding in the year 1985.”

After the matter was heard for some time, learned counsel for the petitioners states that petitioners be permitted to initiate proceedings under the provisions of Bihar Sugar Undertaking (Acquisition) Act, 1985.



None can have any objection to the same.

The petition is disposed of on the following mutually agreeable terms:

(a) As and when petitioners initiate such proceedings, the same shall be considered in accordance with law on expeditious basis, preferably within a period of six months thereafter;

(b) We clarify that issue of fact and law, including that of limitation or earlier receipt of compensation by the petitioners, if any, are left open to be decided by the appropriate authority.

Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

AFR/NAFR	
CAV DATE	
Uploading Date	29.09.2022
Transmission Date	

