

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6001 of 2020

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Mala Devi W/o Baban Singh R/o Mauza- Chikni, Ward No.2, P.O.-Jokiyari,
P.S.-Raxaul, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Old Secretariat, Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
3. The Principal Secretary, Department of Home, Bihar, Patna.
4. The Director, Land Acquisition, Bihar, Patna.
5. The Joint Secretary, Department of Home, Bihar, Patna.
6. The Collector, Motihari.
7. The Land Acquisition Officer, Motihari.
8. The Union of India, through the Ministry of Home Affairs, Government of India, through its Secretary, North Block, New Delhi.
9. The Secretary, Border Management Ministry of Home Affairs, Government of India, North Block, New Delhi

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Mallika Mazumdar
For the Respondent/s	:	Mr.Md.Khurshid Alam (Aag12)
For the U.O.I.	:	Ms. Kanak Verma, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 30-06-2022 Heard the parties.

The District Magistrate, East Champaran and the District Land Acquisition Officer, East Champaran, Motihari, are appearing in person pursuant to the earlier order of this court.

It has been submitted by the learned counsel for the State that payment has been deposited before the Authority under Section 51 of the Right to Fair Compensation and



Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and there is some dispute between the brothers of the petitioner's husband and because of which the money cannot be disbursed in favour of the petitioner by them.

Ms. Mallika Mazumdar, learned counsel for the petitioner, says that there is no dispute between the brothers of Baban Singh-husband of the petitioner Mala Devi, who has sworn an affidavit stating that the money may be disbursed in favour of the petitioner.

This kind of the disputed fact cannot be decided by this Court, but it is for the Authority to decide and release the money in favour of the rightful claimants.

The Authority under Section 51 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, at Muzaffarpur is directed to decide this matter within two months from today in accordance with the law after hearing all the objectors and, thereafter, disburse the amount to the rightful claimants after three months of the final order passed by the Authority if there is no such order by any competent authority.

With the aforesaid observations and directions, the present writ petitions is disposed of.



As the application is disposed of, the personal
appearance of the Officers is dispensed with.

(Sandeep Kumar, J)

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