

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12109 of 2015

1. Sharavan Mistry and Ors Son of Late Banshi Mistry @ Madari Mistry.
2. Barhu Mistry, Son of Late Banshi Mistry @ Madari Mistry.
3. Shibu Mistry, Son of Late Chulhan Mistry.
4. Shankar Mistry, Son of Late Ramdeo Mistry All are residents of village- Lachhu Bigha Mauza- Damodarpur Baldha, P.O. Mahanandpur, P.S. Nagarnausa, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The District Magistrate, Nalanda.
4. The District Land Acquisition Officer, Biharsharif, Nalanda.
5. The Deputy Collector, Land Reforms, Hilsa, Nalanda. null null
6. The Circle Officer, Nagarnausa, Nalanda. null null
7. The Union of India through the General Manager, East Central Railway, Hajipur.
8. The Divisional Railway Manager, East Central Railway, Danapur, Patna.
9. The Chief Engineer, East Central Railway, Mahendru, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Suryakant Kumar

For the Respondent/s : Ms. Chhaya Mishra, C.G.G.

Mr. Ajay Kumar Sharma, AC to A.G.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-12-2022 Heard learned counsel for the parties.

The grievance of the petitioners is that they have not
been paid compensation amount as per the provisions prescribed
under the Right to Fair Compensation and Transparency in Land



Acquisition, Rehabilitation and Resettlement Act, 2013.

Learned counsel for the petitioners submits that though the notification of acquisition of the petitioners' land was published under the Old Act but the Award was not paid before coming into force of the New Act, and as such, the petitioners are entitled to be given the compensation under the provisions of the New Act.

Learned counsel for the State referring to paragraph no.- 7 of the counter affidavit filed on behalf of respondent nos. 3 to 6 submits that compensation amount has been calculated and Award has been prepared on 04.04.2015 under the New Act and notices have been issued to the petitioners for receiving the Award amount. He further submits that as on the date counter affidavit was filed, compensation amount was not received by the petitioners and if the petitioners have not received the compensation amount, they can receive the same within a period of fifteen days from today.

In view of clear cut stand taken by the State in the counter affidavit filed by respondent nos. 3 to 6, this writ application is disposed of with liberty to the petitioners to receive compensation amount from the concerned authority and if the petitioners approach the authority, the authority is obliged



to pay compensation amount to the petitioners after due verification.

With the aforesaid observation and direction, this writ petition is disposed of.

(Anil Kumar Sinha, J)

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