

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3583 of 2015

=====

Lakshman Sah Son of Late Nokhe Sah resident of village - Brahampur, P.O.
M.I.T., Police Station - Brahampur, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director Land Acquisition, Revenue and Land Reforms Department,
Bihar, Patna
3. The Collector - Cum - District Magistrate, Muzaffarpur
4. The Land Acquisition officer, Muzaffarpur
5. The Executive Engineer, Public Works Department, Muzaffarpur
6. The Circle officer, Musahari, District - Muzaffarpur

... .. Respondent/s

=====

with
Civil Writ Jurisdiction Case No. 3680 of 2015

=====

Raj Mohan Sah Son of Late Ram Chandra Sah, resident of Mohalla-
Brahampur Sangam Chowk, P.O.- MIT, Police Station- Brahampur, District-
Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Revenue and Land
Reforms Department, Bihar, Patna.
2. The Director Land Acquisition, Revenue and Land Reforms Department,
Bihar, Patna.
3. The Collector- cum- District Magistrate, Muzaffarpur.
4. The Land Acquisition Officer, Muzaffarpur.
5. The Executive Engineer, Public Works Department, Muzaffarpur.
6. The Circle Officer, Musahari, District- Muzaffarpur.

... .. Respondent/s

=====

Appearance :

(In Civil Writ Jurisdiction Case No. 3583 of 2015)

For the Petitioner/s : Mr.Prashant Kashyap Adv.

For the Respondent/s : Mr.- Kinkar Kumar SC 9

Mr. Yogesh Kumar AC to SC 9

Mr. Rakesh Bihari Saran (Amicus Curiae)

Mr. Apurva Kumar (Amicus Curiae)

(In Civil Writ Jurisdiction Case No. 3680 of 2015)



For the Petitioner/s : Mr.Prashant Kashyap
For the Respondent/s : Mr.- Kinkar Kumar SC 9
Mr. Yogesh Kumar AC to SC 9
Mr. Rakesh Bihari Saran (Amicus Curiae)
Mr. Apurva Kumar (Amicus Curiae)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

12 07-07-2022 Heard the parties.

Good sense has prevailed upon the petitioner. He has given consent for construction of the road, as per new alignment.

Learned counsel for the State submits that the State will proceed for constructing the portion of the road, which construction was stayed. If some more land of the petitioner is acquired, then it will be acquired as per new Bihar Land Acquisition Act and compensation applicable shall be given to the petitioner as per the new Act. So far as old acquisition of land is concerned, the amount of compensation has already been deposited in the treasury and therefore that may not be revised by the State.

This Court is not going into the issue of payment of compensation because if the petitioner is disputing the payment under the old Act, he may pray for payment of compensation under the new Act. He will take all steps available to him in accordance with law. The order of stay is vacated, and the State



will proceed with the construction work. This Court appreciates the stand of the petitioner.

The State is directed to pay Rs. 25,000/- (Rupees twenty five thousand) to the Advocate Commissioner, Shri Rakesh Bihari Saran and Rs. 15,000/- (Rupees fifteen thousand) to Shri Apurva Kumar. This amount shall be paid to them by the Collector, Muzaffarpur within two weeks from today. Demand Draft shall be handed over to Mr. Kinkar Kumar, Standing Counsel who will in turn hand over to Shri Rakesh Bihari Saran and Shri Apurva Kumar.

With the aforesaid observations and directions, both the writ petitions stand disposed of.

(Sandeep Kumar, J)

BT/Shishir

U			
---	--	--	--

