

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2511 of 2023

Praveen Kumar Prabhakar, son of Shri Ram Prasad Yadav, resident of Village Mahindwar, Police Station Phulparas, District Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Land Development Department, Government of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Special Land Acquisition Officer, Darbhanga Koshi Pariyojana, District- Darbhanga.
4. The Koshi Pariyojana Project Officer, Jhanjharpur, District Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prabhas Ranjan, Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha (SC19)
		Mr. Saurabh Kumar, AC to SC-19

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 21-09-2023

Heard learned counsel for the petitioner and learned counsel for the State.

2. Learned counsel for the petitioner submits that his land is situated in Village -Araria Sangram, Khata No. 245 (old), 381 (new), Plot No. 464 (ol), 2303 (new), area 4 katha had been acquired, but payment has not been made. He further submits that the petitioner has filed a representation to that effect on 30.07.2017 before respondent No.3, namely, the Special Land Acquisition Officer, Koshi Pariyojna Darbhanga, but no action has been taken. Thereafter, the present writ petition.

3. A counter affidavit has been filed on behalf of



respondent Nos. 2 and 4 annexing therein Letter No. 254 dated 28.02.2019 by which the petitioner is satisfied that his land has figured in the said letter, but he is dissatisfied about fixing of the nature of land. According to him, his land is residential in nature whereas the committee has fixed this land as agricultural in nature.

4. Learned counsel for the petitioner submits that many raiyats have received compensation amounts as fixed by the government in the nature of agricultural land.

5. In this background, this Court is of the view that the State respondent shall pay the admissible compensation amount to the petitioner within three months from today. The petitioner shall be at liberty to receive the said compensation amount with objection and he shall also be free to take recourse of law under Section 64 of the Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013 (Act No. 30 of 2013).

6. With the above observation and direction, the present petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	26/09/2023
Uploading Date	NA

