

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1928 of 2023

=====

Md. Azeem @ Md. Azeem Uddin Son of Dost Mohammad @ Sheikh Dost Mohammad, Resident of Village- Majgawa, Ward No.- 3, P.S.- Jokihat, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The District Magistrate-cum-Collector, Araria.
3. The Additional Collector, Araria.
4. The District Land Acquisition Officer, Araria.
5. The Senior Project Engineer Bihar State Bridge Construction Corporation Limited, Works Division, Katihar.
6. The Managing Director, Bihar State Bridge Construction Corporation Limited, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Singh, Advocate
For BRPNL	:	Ms. Binita Singh, Advocate
For the State	:	Mr. W.A. Khan, A.C. to SC-25

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-08-2023 Hard copy of the counter affidavit has been filed by the counsel for the Bihar Rajya Pul Nirman Nigam Limited today in the Court itself, which is accepted and kept on record.

2. Heard learned counsel for the petitioner, learned counsel for the Bihar Rajya Pul Nirman Nigam Limited and learned counsel for the State.

3. The petitioner has filed the present writ petition directing the respondent to make the payment of compensation of his land taking into consideration the nature of the land that it

is residential in nature and claiming that the land of petitioner measuring 2 decimal appertaining to Khata No. 69, Khesra No. 1313, 1315, 1299 situated in Mouza- Masuria Jokihat, District- Araria has been acquired by the respondent authorities for the construction of *pul*.

4. Learned counsel for the petitioner submits that he has filed representation to the Bihar Rajya Pul Nirman Nigam Limited as well as to the Engineer, Bihar Rajya Pul Nirman Nigam Limited.

5. Learned counsel for the Bihar Rajya Pul Nirman Nigam Limited submits that the Bihar Rajya Pul Nirman Nigam Limited is basically an organization, who use to construct on the instruction of the State. The land used to be provided to the organization through the Collector of the district before whom the representation has been filed by the petitioner on 08.12.2022.

6. Learned counsel for the State submits that in the representation as well as in the petition, it has been mentioned that it is the contractor who has taken 2 decimal land forcefully.

7. As such it requires enquiry in the opinion of the Court.

8. In this view of the matter, let it be directed to the

Managing Director, Bihar Rajya Pul Nirman Nigam Limited
(Respondent no.6) to enquire into the complain made by the
petitioner which is annexed as Annexure 2/1 and 2/2 to verify
the same after providing opportunity to the petitioner to produce
all documents relating to petitioner’s claim. If it has been found
that petitioner’s land has been taken for the purpose of
construction, a requisition may be forwarded before the
Collector to do the needful.

9. With the aforesaid direction, the present writ
petition is disposed off.

(Dr. Anshuman, J.)

ravishankar/-

U			
---	--	--	--