

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2743 of 2023

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Kumar Ohm Son of Ram Bilash Singh resident of village Kerka, P.S. N.T.P.C.
District - Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Deptt. of Revenue and Land Reform, Govt. of Bihar, Patna.
2. The Director, Directorate of Land Acquisition, Govt. of Bihar, Patna.
3. The District Magistrate Cum Collector, Aurangabad.
4. The District Land Acquisition Officer, Govt. of Bihar, Patna.
5. The Chief Executive Officer, Bhartiya Rail Baffle Campus Ltd. (A Joint Venture of India Railway and N.T.P.C.) Its office located at the campus of BRBCHI Khaira, P.S. N.T.P.S. Khaira Circle Nabinagar District - Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar Verma, Adv.
	:	Mr. Vyas Kumar Mishra, Adv.
For the State	:	Mr. Sajid Salim Khan, SC-25.
For the Res. No.5	:	Mr. Amaresh Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The present writ petition has been filed by the petitioner seeking direction to the District Magistrate-cum-Collector, Aurangabad to accept the application filed under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as “RFCTLARRA”) and dispose off the same on merit and refer the matter before Land Acquisition, Rehabilitation, and Resettlement Authority, Gaya (hereinafter



referred to as “LARRA”) for reference.

Learned counsel for the petitioner submits that the award notice arising out of L.A. No.03 of 2007-08 was served upon the petitioner and others as by the said L.A. Case No.03 of 2007-08 the lands of 9 different villages were acquired. He further submits that some of the villagers have been aggrieved by the said award and moved before this Hon’ble Court in writ petition and the dispute traveled up to Letters Patent Appeal. Learned counsel fairly submits that the present petitioner started waiting for the result of that L.P.A. because the issue directly and substantially of the petitioner and those of other villagers who moved in CWJC and thereafter in L.P.A. are basically same. He further submits that till waiting the result of other similarly situated persons there is some delay in filing application under Section 64 of the RFCTLARRA, 2013 for reference.

Learned counsel for the State submits that one year has already been lapsed and, therefore, the petitioner has no remedy left now.

Considering the circumstances, the District Magistrate-cum-Collector, Aurangabad is directed to consider the case of petitioner under Section 64 of the RFCTLARRA,



2013 and shall pass order on merit and shall refer the matter for reference before LARRA, Gaya.

With this observation and direction, the present Writ Petition stands disposed off.

(Dr. Anshuman, J.)

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