

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14818 of 2017

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Ramesh Chandra Paswan Son of Late Babu Lal Paswan resident of village -
Kashar, P.S. Ariari, District - Sheikhpura.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Revenue Government of Bihar, New Secretariat, Patna
2. The Circle Officer (C.O.) Anchal Ariari, District - Sheikhpura.
3. The District Magistrate D.M., District - Sheikhpura.
4. The Superintendent of Police S.P. District - Sheikhpura.
5. The Officer-in-Charge, Ariari P.S. District - Sheikhpura.
6. The Assistant Thana Incharge O.P. Kashar under Ariari Police Station, District - Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar, Advocate
For the Respondent/s : Mr.Raj Kishore Roy -Gp18

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 21-06-2023 The present writ petition has been filed
seeking the following reliefs:-

*"I) For issuance of a
appropriate writ in the nature of
Mandamus commanding, the
petitioner has pray from the Hon'ble
Court to direction of Respondent to
remove the encroached the land or
stay the construction of boundary wall
from the Officer-in-charge O.P. of
Kashar. Further may granted
compensation (Hereinafter referred to
as the Act of the Land Encroachment*



Act).

(ii) For that in respect of Mauza Kashar Tauzi No.4805 Thana No.289, Khata No.466, Khesra No.3041 , Area 0.30 decimals of land was granted Parcha in the name of petitioner settlement Case No.5/94-95.

(iii) For that the O.P. of Kashar has construction of boundary wall without show cause of Parchadhari."

The facts of the present case would bear it out that there is consensus in between the parties to the effect that the land of the petitioner has been encroached by the respondents, for the purposes of making boundary wall of the police station in question, hence, the respondents have computed the amount of compensation, as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 to the tune of Rs.9,10,728/- and the same has also been paid to the petitioner. Nonetheless, it is the contention of the petitioner that such amount of compensation has been



calculated considering the land in question to be an agricultural land and not residential land, hence, the petitioner be granted liberty to take recourse to such remedies, as are otherwise available under the law for enhancement of the compensation amount. Liberty so sought is granted.

The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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