

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11689 of 2017

1. Vishwanath Rai
2. Baiju Rai
3. Bharat Rai
4. Mithilesh Kumar,
All Sons of Late Ramesh Rai, Resident of Village-Pathlautiya, P.S.-Bihta,
District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Patna.
3. District Land Acquisition Officer, Patna.
4. Addl. Land Acquisition Officer, Patna
5. Deputy Collector Land Reforms, Danapur, District-Patna
6. Circle Officer, Bihta, District-Patna
7. Nagina Rai, Son of Dev Nandan Rai, Resident of Village-Raidih. P.S. Bihta,
District-Patna.
8. Nathuni Rai, Son of Late Gulab Rai, Resident of Village-Raidih. P.S. Bihta,
District-Patna.
9. Janakdeo Bishwakarma, Son of Late Gulab Chand Bishwakarma, Resident
of Village-Raidih. P.S. Bihta, District-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dronacharya, Sr. Advocate Mr. Shambhu Sharan Kumar, Advocate
For the State	:	Mr. Subodh Kumar Mishra, AC to GP-14

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 12-09-2023

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

2. The present writ petition has been filed by the
petitioners for a direction to the respondent to pay a sum of Rs.
19,72,442.89/- for the lands subject to acquisition of Village-



Sikandarpur, P.S. - Bihta, District- Patna appertaining to Khata No.279, Plot No.735, area 6 decimal as well as Khata No. 276, Plot No. 739, area 12.05 decimal total land subject to acquisition is 18.5 decimal.

3. Learned counsel for the petitioners submits that the said land has been purchased by the petitioners from the respondent No.9 but, subsequently, other persons who are private respondents, have claimed before the Land Acquisition Officer and accepted the amount of acquisition. In this regard, the petitioners have filed petition before the District Land Acquisition Officer, Patna, who in LA Case No. 01 of 2011-12 has issued notice to both the parties to appear along with relevant document which is Annexure-8 to the writ petition.

4. Learned counsel for the State submits that the said LA Case No. 01/2011-12 is still pending and until and unless, both the petitioners and the respondent, who are first and second party in the said LA case, shall not appear before the District Land Acquisition Officer, the existing dispute cannot be decided.

5. Learned counsel for the petitioners in response submits that the petitioners have already appeared in LA Case No.01/2011-12 and have filed their reply.



6. In this background, this writ petition is disposed of directing the District Land Acquisition Officer, Patna to decide the dispute between the parties for the purpose of which a letter bearing Memo No. 3102 dated 12.12.2015 issued by the Additional District Land Acquisition Officer, Patna to both the parties. The petitioners are directed to produce a copy of this order before the Land Acquisition Officer, Patna whereupon the Land Acquisition Officer, Patna after noticing both the parties shall decide this matter within three months from the date of appearance of both the parties.

7. With the above observation and direction, the writ petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	14/09/2023
Transmission Date	NA

