

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3156 of 2023

-
1. Anil Kumar Suman, Son of Baleshwar Sharma, Resident of Village Lat P.S.- Hulasganj Distt.- Jehanabad.
 2. Udai Narayan Singh, Son of Ram Bilash Singh, Resident of Village Lat P.S.- Hulasganj Distt.- Jehanabad.
 3. Sri Ram Prasad Singh, Son of Late Kapil Dev Singh, Resident of Village Lat P.S.- Hulasganj Distt.- Jehanabad.
 4. Sri Ramashish Sharma, Son of Late Kapil Dev Singh, Resident of Village Lat P.S.- Hulasganj Distt.- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna.
2. The Principal Secretary, Science and Technology Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Revenue Department, Govt. of Bihar, Patna.
4. The Distt. Magistrate, Jehanabad.
5. The Land Acquisition Officer, Jehanabad.
6. The Circle Officer, Hulasganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar No1, Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha (SC-19)
		Mr. Saurabh Kumar, AC to SC-19

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 26-09-2023 Heard learned counsel for the petitioners and learned counsel for the State.

2. The present petition has been filed by the petitioners directing respondent No. 4, namely, the District Magistrate, Jehanabad to make reference to the authority for proper fixation of compensation amount of land treating his land as commercial land.



3. Learned counsel for the petitioners submits that the land of the petitioners has been acquired for the purpose of construction of connecting road and the calculation of the compensation price has not been made as per the MVR value of the said locality.

4. Learned counsel for the petitioners submits that calculation has also been made in the light of methodology given in Right to Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30 of 2013) (hereinafter referred to as ‘the Act of 2013’) and the petitioners have not received a single penny towards compensation till date.

5. Learned counsel for the State has taken the stand that for preparation of social impact assessment in the village, around the proposed ring road to the Engineering College, a letter has been sent to the ADRI, Chandragupta Management Institute, A.N. Sinha Institute of Social Science, Patna, Institute of Development Management, Udyog Bhawan, Patna and L.N. Mishra Institute of studying Economic and Social change, Patna to submit their estimated cost incurred.

6. According to the stand of the State, the social impact assessment reports has not been prepared till date.



7. In this background that the land of the petitioners has been taken and its communication has been made in the year 2021, this Court disposed of this writ petition directing the petitioners to accept the compensation amount whatever be fixed by the State with objection and upon receiving the said compensation amount with objection, the petitioners are directed to file their objection U/s 64 of the Act of 2013 and the District Magistrate is directed to refer the matter before the Land Acquisition Rehabilitation Resettlement Authority where the petitioners shall raise all the points which they have raised in the writ petition.

8. Liberty is also granted to them that if they shall not agree with the valuation report made after social assessment Officer/ the compensation amount, they shall raise all those points before the Land Acquisition Rehabilitation Resettlement Authority.

9. With this observation and direction, writ petition is disposed of.

(Dr. Anshuman, J.)

Divyansh/-

U			
---	--	--	--

