

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1213 of 2016

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Sanjay Kumar Mandal S/o Late Phuleshwar Mandal resident of village Tarwa,
P.S. Pirpaiti, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary cum Commissioner, Department of Revenue, Government of Bihar, Patna.
3. The Collector Cum District Magistrate, Bhagalpur.
4. District Land Acquisition Officer, Bhagalpur.
5. Deputy Collector Land Reforms, Bhagalpur.
6. Anchal Adhikar, Pirpaiti, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Bhartee
For the Respondent/s : Mr.R.K.Priyadarshi SC-32

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-09-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for grant of
payment of compensation against acquisition of land of the
petitioner measuring 1.10 Acres of Thana No.-85, Khata No.-
633 Plot No. 64, Jamabandi No. 22 of Mauza Tundva @
Bhundva situated in the District of Bhagalpur.

3. Counsel for the petitioner submits that the
petitioner is an Ex. Army Man who has retired from the post of
Subedar and the said land measuring 2 acres situated in the
above said Mauza has been allotted to him and *parcha* was



granted in his name. Moreover, the petitioner is in possession of the land since 04.01.1994.

4. Counsel further submits that after grant of *Parcha*, petitioner is continuously in possession over the said land, but subsequently, the petitioner got information that part of his land was acquired for Pirpainti Thermal Power Station, but he has not received any notice with regard to acquisition of the land in question in his name. Counsel further submits that the petitioner has made several representations before the Circle Officer but nothing happened.

5. Counter affidavit has been filed in the present writ petition. In the Counter affidavit, it is stated in Paragraph 11 that the matter is being looked into and the same is in the process of enquiry and upon conclusion of enquiry and verification of the matter by the Circle Officer, Pirpainty, the matter would be considered in accordance with law.

6. In this regard, counsel for the petitioner submits that the representation is of the year 2016, but counter affidavit has been filed in this case in the year 2017, however, 2023 is going on, but till date no decision has been taken.

7. In the light of the submissions made by the petitioner, it transpires to this Court that petitioner's land is



subject to acquisition, but no notice has ever been issued to him. As such, the petitioner is directed to file his objection afresh before the Collector of the District who upon enquiry from the District Land Acquisition Officer as well as the Circle Officer concerned shall pass a reasoned and speaking order intimating about the preparation of the award with regard to land of the petitioner.

8. Petitioner is directed to file a representation within four weeks along with the order passed by this Court and Collector, Bhagalpur is directed to complete all the process as laid down under section 23 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30 of 2013) within four months.

9. With the aforesaid observation and direction this application disposed of.

(Dr. Anshuman, J)

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