

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3319 of 2023

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Laldev Prasad, Son of Shiv Mangal Prasad, Resident of Village Pantoka,
Police Station Haraiya, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Revenue and Land Reforms Department,
Government of Bihar, Patna.
3. District Land Acquisition Officer, East Champaran
4. The Additional Collector (Revenue) East Champaran.
5. The Deputy Collector Land Reforms, Raxaul, East Champaran.
6. The Circle Officer, Raxaul, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajnish Shandilya, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (AAG12)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 25-07-2023

Learned counsel for the petitioner and the State are present.

2. Learned counsel for the petitioner submits that due to inadvertence, the plot number has wrongly been typed in paragraph no.4 of the petitioner, and, therefore, he seeks permission to correct the same. However, a supplementary affidavit has been filed in this regard.

3. Permission granted.

4. Learned counsel for the petitioner may remove the



said defect during the course of the day.

5. The present writ petition has been filed by the petitioner with a prayer to redetermine the compensation amount for his land acquired appertaining to Plot No. 142, 21, 22, 23, 05 & 13, Revenue Thana No. 06 situated village -Pantoka and also to decide the compensation in the light of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as the Act of 2013').

6. Learned counsel for the petitioner further submits that the petitioner is entitled to get compensation in terms of Section 24 of the Act of 2013 as the final award under Section 11 of the old Act has not been prepared as well as final payment has also been not made to him. He further submits that in this regard, the petitioner has filed a detailed representation before respondent No.3, namely, the District Land Acquisition Officer, Motihari, East Champaran on 03.03.2021 (Annexure-5), but till date, there is no response on the said representation.

7. Learned counsel for the State submits that though counter affidavit has not been filed in this case, but the petitioner may be directed to file a fresh representation before the Collector, East Champaran, Motihari who upon hearing the



petitioner as well as the District Land Acquisition Officer, East Champaran shall pass a reasoned and speaking order on the representation of the petitioner, as contained in Annexure-5 to the writ petition.

8. In this background, the present petition stands disposed of directing the petitioner to file a fresh representation before the Collector, East Champaran, Motihari relating to the relief which he had prayed in Annexure -5 within four weeks from today whereupon the Collector, East Champaran, Motihari is directed to consider and decide the representation of the petitioner within six weeks thereafter by a speaking and reasoned order and if the award has been prepared in this matter then description of award shall also be provided in the order.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.07.2023
Transmission Date	NA

