

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3605 of 2023

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Gayatri Devi Wife of Virendra Thakur, Resident of Village- Devghara, P.S.-
Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The District Magistrate, Muzaffarpur.
3. The Additional Collector, Muzaffarpur.
4. The District Land Acquisition Officer, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Pandey, Advocate
For the Respondent/s	:	Mr. Md. Khurshid Alam, AAG-12

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 26-07-2023

Learned counsel for the petitioner and learned
counsel for the State are present.

2. Learned counsel for the petitioner submits that
the present writ petition has been filed for directing the
respondent to make the payment of compensation to the
petitioner in lieu of acquisition of her land appertaining to Khata
No. 03, Khesra No. 412 situated in Mauza-Lodiya, P.S.-
Sahebganj, District- Muzaffarpur adjacent to State Highway-74.

3. Learned counsel for the petitioner submits that
the petitioner is entitled to receive the compensation fixed in the
light of Section 26 of the Right to Fair Compensation and

Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 [Act No. 30 of 2013] (hereinafter referred to as the 'Act of 2013') in which it has been directed that the determination of the amount shall be made assessing and determining the market value of the land. Counsel further submits that petitioner has annexed the sale deed of a land situated near the acquire land but this aspect has completely been ignored. Learned counsel for the petitioner further submits that petitioner has filed representation before the District Magistrate, Muzaffarpur for determining of her land as commercial in nature on 08.01.2023 but no decision has been taken.

4. Learned counsel for the State submits that a direction may be given to the Collector to decide the representation of the petitioner in accordance with Section 26 of the Act of 2013.

5. In this background that petitioner's representation is already pending since 08.01.2023, therefore, petitioner is directed to represent herself alongwith the order passed by this Court before the District Magistrate-cum-Collector, Muzaffarpur and upon receiving the said order, the District Magistrate-cum-Collector, Muzaffarpur shall pass order

on the representation dated 08.01.2023 of the petitioner in
accordance with Section 26 of the Act of 2013 within six weeks.

6. With the aforesaid direction, the present writ
petition is disposed off.

(Dr. Anshuman, J.)

ravishankar/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	31.07.2023
Transmission Date	N.A.