

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3953 of 2023

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Gopal Prasad Son of Lare Ayodhya Prasad Resident of Vilalge-Bara, P.S.-
Ben, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Executive Engineer, Rural Works Department, Nalanda.
4. The District Magistrate, Nalanda.
5. The Circle Officer, Ben, Nalanda.
6. The S.H.O. Ben, Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jay Prakash Singh, Adv.
For the Respondent/s	:	Mr. Kumar Alok, SC-7.
	:	Mr. Satyeshwar Prasad, AC to SC-7.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed seeking direction to the respondents to pay the compensation under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for the land of petitioner mentioned in the writ petition for the purpose of construction of “Pradhan Mantri Sadak Yojana”.

3. Learned counsel for the petitioner submits that the mother of petitioner has submitted several representations in the



year 2009, again in 2014 and 2017. He further submits that the land possession certificate in the name of petitioner and his family was also issued from the office of Circle Officer, Ben, Nalanda on different dates which is annexed as Annexure No.9 series to the writ petition. He also submits that till date no action has been taken at the level of State.

4. Learned counsel for the State submits that the alleged representations have been made in which question of acquisition has not been raised rather it has been raised that the soil from the petitioner's land has been extracted and his land has been converted into a ditch.

5. In this view of the matter, the petitioner is directed to file fresh representation before the District Magistrate, Nalanda alongwith the copy of order passed by this Court whereupon the District Magistrate, Nalanda is directed to consider the case of petitioner that whether there is any land of petitioner has been taken for construction of road or not. If it has been found that the land of petitioner has been taken for construction, then appropriate steps towards payment of compensation is directed to be made in accordance with law within ten weeks from the date of filing of fresh representation.

6. With this observation and direction, the present



Writ Petition stands disposed off.

(Dr. Anshuman, J.)

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