

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7495 of 2016

- 1.1. Barun Devi Wife of Late Arbind Choudhary, Resident of Village-Maheshi, P.O.-Tilakpur, P.S.-Sultanganj, District-Bhagalpur.
- 1.2. Santosh Kumar Choudhary, son of Late Arbind Choudhary, Resident of Village-Maheshi, P.O.-Tilakpur, P.S.-Sultanganj, District-Bhagalpur.
- 1.3. Amit Kumar, Son of Late Arbind Choudhary, Resident of Village-Maheshi, P.O.-Tilakpur, P.S.-Sultanganj, District-Bhagalpur.
- 1.4. Rinku Devi, Daughter of Late Arbind Choudhary, Resident of Village-Maheshi, P.O.-Tilakpur, P.S.-Sultanganj, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Director, Land Acquisition Directorater, Revenue and Land Reforms Department, Government of Bih
3. The District Rehabilitation Officer, Bhagalpur.
4. The Collector, Bhagalpur.
5. The District Land Acquisition Officer, Bhagalpur
6. The Anchal Adhikari, Nathnagar, District- Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar, Adv.
	:	Mr. Kanishak Kaustabh, Adv.
	:	Mr. Ayush Kumar, Adv.
	:	Mr. Shikhar Mani, Adv.
For the Respondent/s	:	Mr. Sarvesh Kr. Singh, AAG13
	:	Mr. Arya Achint, AC to AAG13

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

10 25-09-2023 Learned counsel for the petitioners seeks permission to correct 1st line of paragraph-1 of the writ petition as the petitioner has filed C.W.J.C., but in the first line, he has wrongly mentioned criminal writ application.

2. As such, counsel for the petitioners is directed to correct the same in course of the day.

3. Heard learned counsel for the petitioners and learned counsel for the State.

4. Counsel for the petitioners submits that the petitioners have filed this application directing the respondents to release the land of the petitioners which was acquired under the provisions of the Land Acquisition Act vide Case No. 01 of 1993-94 for the purpose of rehabilitation of displaced of village-Kaliyanpur whose houses were washed away in flood, but in spite of lapses of more than 21 years, the land has not been utilized for the said purposes.

5. Counsel for the State raised preliminary objection and submits that admittedly, the petitioners' land have been acquired under the provision of Land Acquisition Act, 1894. According to him, there is no such provision under the Land Acquisition Act, 1894 for returning of land which was subject to acquisition.

6. In this view of the matter, the present writ application is not maintainable and therefore, stands dismissed.

(Dr. Anshuman, J.)

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