

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5064 of 2020

Sanjay Singh Son of Rajeshwar Prasad Singh, Resident of Village-Nonia Deeh, Mahadeva, P.S. Raxaul, District-East Champaran, presently residing at 301, Suryananda Apartment, Budha Colony, Opposite Amitabh Kunj, Budha Colony, Patna, Bihar-800001.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The District Magistrate, East Champaran.
3. The Land Acquisition Officer, East Champaran at Motihari.
4. The Sub-Divisional Officer, Raxaul, East Champaran.
5. The L.R.D.C., Raxaul, East Champaran.
6. The Circle Officer, Raxaul, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prabhat Kumar
For the State	:	Mr. Manoj Kumar Sinha, AC to SC 19
		Mr. Saurabh Kumar, AC to SC 19
		Mr. Rishi Raj Sinha, SC 19

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 22-03-2023

Heard learned counsel for the parties.

The petitioner has filed the instant application for the following relief(s) :

“(i) To direct the respondent authorities especially the Collector, East Champaran, to make re-determination of the compensation towards the acquired land of the petitioner under Indo-Nepal Border Road Project, which having of residential nature, adopting the criteria i.e. the market value of such residential land specified under the Indian Stamp Act for registration of Sale-deeds in the area, where the



land is situated and to make necessary correction, accordingly, in the award of Rs. 65, 60,000/- made earlier in favour of the petitioner, which finds mention in the notice issued in terms of Section 37 (2) of the Right Compensation and Transparency to Fair in Land Acquisition Rehabilitation and Resettlement Act, 2013 (hereinafter referred as to the Act').

(II) To direct the respondent authorities as to make payment of the compensation amount so re-determined to the petitioner with interest component towards acquisition of his land bearing Plot No. 1252, measuring area of 41 decimals, appertaining to Khata No.290, situated within the village- Nonia Deeh, having Revenue Thana No.85, under Circle- Raxaul within the district of East Champaran.

(III) For grant of any other relief(s) which may deem fit and proper in the facts and circumstances of the present case.”

Referring to the contents of the counter affidavit filed on behalf of respondent nos. 1 to 4 and especially paragraph no. 11 thereof, learned counsel for the petitioner submits that the matter having been referred to the Land Acquisition, Rehabilitation and Resettlement Authority (LARRA), Muzaffarpur under section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as ‘the 2013 Act’), the authority concerned be directed to consider besides other materials also the contents of the letter no 200 dated



8.3.2018 (Annexure-7) written by the Circle Officer, Raxaul, East Champaran to the District Land Acquisition Officer, East Champaran, Motihari.

Learned counsel appearing for the respondents submits that the compensation amount along with interest has already been received by the petitioner without any objection. However, it is not disputed and in fact stated in the counter affidavit itself that the matter has been referred to the authority (LARRA).

Having heard learned counsel for the parties and taking into consideration the averments made, the matter with respect to quantum of compensation already being considered by the authority (LARRA) under section 64 of the 2013 Act, it goes without saying that the authority concerned will take into consideration the submissions and the documents which are referred to and relied upon by both the parties including the letter dated 8.3.2018 referred to herein above and decide the same expeditiously in accordance with law.

The application stands disposed off with the above observations and directions.

(Partha Sarthy, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	



Transmission Date	
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