

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18717 of 2015

Janardhan Barnwal S/o Sita Ram Barnwal Village - Begikharwa, Po - Magli
Matiyani, P.S. - Belhar, District - Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary, Revenue and Land Reforms
Department, Government of Bihar, Patna
2. The District Magistrate, Banka.
3. The Land Acquisition Officer, Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jai Ram Singh, Advocate
For the Respondent/s : Mr. R.K.Priyadarshi, SC-32

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 25-09-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner has filed this writ petition for
issuance of appropriate direction to the respondents to pay the
entire amount of compensation for the land-in-question of the
petitioner treating the nature of land as residential.

3. The learned counsel for the petitioner submits that
his compensation amount has wrongly been fixed treating his
land as 'Bhitha'. Learned counsel for the petitioner submits that
the petitioner has filed representation before the Land
Acquisition Officer, Banka, but no decision was taken and,
therefore, he has moved before this Court.



4. Learned counsel for the State submits that counter affidavit has been filed. In the counter-affidavit it is stated that the payment for the land in question has been made as 'Bhitha' but claim has been made as it is 'residential'. In this regard, report has also been annexed as Annexure-A. Learned counsel for the State submits that the petitioner has only remedy to file application before the Tribunal i.e., the Land Acquisition Rehabilitation and Resettlement Authority situated at Bhagalpur or to move before the District Magistrate, Banka, under Section 64 of the Land Acquisition, Rehabilitation & Resettlement Act, 2013.

5. In this background, this writ petition is disposed of directing the petitioner to avail the remedy before the Land Acquisition Rehabilitation and Resettlement Authority raising all his claim raised in this writ petition. The Land Acquisition Rehabilitation and Resettlement Authority, Bhagalpur, is directed to entertain the application filed by the petitioner. If there is delay in filing the application, the delay is directed to be condoned.

(Dr. Anshuman, J)

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