

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9572 of 2014

1. Sarjoo Sharan Singh Son of Late Ram Swaroop Singh resident of village - Dhuria, Police Station and District - Jehanabad
2. Prem Narain Yadav @ Prem Narain Singh S/o Late Suba Yadav resident of village - Dhuria, Police Station and District - Jehanabad

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Home, Govt. of Bihar, Patna
3. The District Magistrate, Jehanabad
4. The Special Land Acquisition officer, Soan Project, Water Resources Deptt. Aurangabad
5. The Director, Land Acquisition and Rehabilitation, Water Resources Deptt., Aurangabad
6. The Executive Engineer, Poonpoo Branch Canal Aurangabad, District - Aurangabad

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vishwanath Prasad, Adv.
For the Respondent/s	:	Mr. Avnish Nandan Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 21-08-2023

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

2. The present writ application has been filed for enhancement of compensation amount of land which has been acquired in the year 2011 by the Special Land Acquisition Officer, Soan Project, Water Resources Department, Aurangabad.

3. Learned counsel for the petitioners submits that the petitioners have made several representations and in response thereto, the respondent has issued letters, showing the compensation amount of land, which is very less than the

amount directed by the Government. In this regard, the petitioners have filed representation stating therein that the compensation amount may be paid to them, as Government has directed and as per the market value.

4. Learned counsel for the petitioners further submits that the minimum value of registration of the land was Rs. 12,000/- per decimal but the said amount has not been granted.

5. Learned counsel for the State has filed the counter-affidavit and subsequently filed the supplementary counter-affidavit. In supplementary counter-affidavit, the State has taken the stand that petitioner no. 1 has submitted all required documents to receive the award of compensation and thereafter, payment of Rs.1,60,360/- was transmitted through Comprehensive Financial Management System, Government of Bihar at beneficiary Payee ID No. JH1913101 to the petitioner no. 1 (Annexure- G of the supplementary counter-affidavit).

6. Learned counsel for the State further submits that the petitioner no. 2 has been informed by the Office of District Land Acquisition Officer, Jehanabad on many occasions for submission of required documents but the said documents has not been provided. As such, the payment of compensation

amount could not be taken to the plausible conclusion.

7. Learned counsel for the petitioners in response submits that as per the supplementary counter-affidavit, the said payment is not proper.

8. Learned counsel for the State submits that in this view of the matter that the petitioners have objection on the price of compensation amount under law, they may file application before the District Magistrate, Jehanabad and the District Magistrate, Jehanabad shall refer the matter before the authority under the statute.

9. In this view of the matter, the present writ application is disposed of directing the petitioners to file application before the District Magistrate, Jehanabad who shall refer the matter before the authority for payment of enhancement of compensation amount and the authority shall decide all the issues including the nature of the land and its price.

(Dr. Anshuman, J.)

sadique/-

AFR/NAFR	NAFR
CAV DATE	NA
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