

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1334 of 2016

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Kirti Narayan Jha S/o late Veda Nand Jha Resident of Village Balni, Mehata,
Police Station Bhraiwaasthan, District Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner, Darbhanga Division Darbhanga.
3. The Collector, Madhubani.
4. The District land Acquisition Officer, Madhubani.
5. The Circle Officer, Jhanjharpur.
6. Amin, Path Pramandal , Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Jha
For the Respondent/s	:	Mr. Sarvesh Kumar Singh AAG-13
		Mr. Arya Achint AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-09-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Counsel for the petitioner submits that the land has
been acquired for a project connecting NH 52 to SH 57 situated
in village, Mehath, Revenue P.S. No. 271, P.S. Jhanjharpur,
District-Madhubani, total 19 Decimal pertaining to Plot No.
2958, New Khata No. 399, Mauza-Mehath.

3. Counsel for the State submits that counter affidavit
has been filed. In the said counter affidavit, copy of the award
has been attached in which it has been accepted by the State that
only five decimals of Plot No. 2958 has been acquired.



4. Counsel for the petitioner submits that the State has taken larger area and fixed the compensation amount at the lower side while the petitioner is entitled for higher compensation.

5. Counsel for State submits that since this acquisition has been made for State Highway and the compensation amount has been received by the petitioner with objection, as such the remedies available to the petitioner to file reference under section 64 before the Collector so that his matter be referred before the LARRA (Land Acquisition, Rehabilitation and Resettlement Authority) as framed under Section 51 of the Right To Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, Act 2013 (Act No. 30 of 2013).

6. In this background, the petitioner is directed to file application before the Collector, Madhubani who upon considering the application of the petitioner along with the order passed by this Court shall refer the matter before the LARRA (Land Acquisition, Rehabilitation and Resettlement Authority) as framed under Section 51 of the Right To Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, Act 2013 (Act No. 30 of 2013) within three months from the date of production of the order



7. With the aforesaid observation and direction, this application is disposed of.

(Dr. Anshuman, J)

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