

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10289 of 2015

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Bhola Shankar Sharma S/o Ramjee Sharma, Resident of Village- Ram Nagar,
Kajra Parsa, P.O.- Basuki Bihari North, P.S.- Madhwapur, District-
Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Madhubani.
2. The Additional Collector, Madhubani.
3. The District Land Acquisition Officer, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ratanakar Jha, Adv.
For the Respondent/s	:	Mr. Ajay Behari Sinha, GA-8.
	:	Mr. Upendra Kumar Singh, AC to GA-8.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed seeking direction to the respondents to make the payment of compensation at the revised rate in view of the acquisition of the petitioner's land for construction of S.S.B. Camp Ram Nagar Kajra Parsa, District Madhubani appertaining to Khata No.18, Khesra No.23.

3. Learned counsel for the petitioner submits that the petitioner has accepted the amount as per the award but he has objection on the same. He further submits that the award was prepared but the determination of the land has not been made according to the market value, therefore, he has come before



this Court for enhancement of his compensation amount.

4. Learned counsel for the State submits that the land of petitioner has been acquired under the provisions of the Land Acquisition Act, 1894, award has also been prepared in the light of the old compensation scheme which the petitioner has received. The claim of petitioner is that he has received the said amount with objection. According to the old law, in case the petitioner received award amount with objection, then liberty is available to the petitioner to file a reference before the Collector. Under new law also, the person whose land has been acquired has liberty to file application before the Collector for reference.

5. From the perusal of the document on record, it is not clear that whether objection has been made by the petitioner at the time of accepting the award or not ?

6. In this view of the matter, the present Writ Petition stands disposed off granting liberty to the petitioner that if the petitioner has accepted the award amount with objection then he shall file an application within four weeks from the date of passing of this order before the Collector, Madhubani, and the Collector, Madhubani upon considering the application of the petitioner shall refer the matter before the Land Acquisition,



Rehabilitation and Resettlement Authority.

(Dr. Anshuman, J.)

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