

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7640 of 2023

Md. Shabbir urf Shabbir Ahmad Son of Md. Shoaib, Resident of East Gulistan Mohalla, Isapur Road, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Revenue and Land Reforms, Department, Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The Land Acquisition Officer, Samastipur.
5. The Circle Officer, Tajpur, Samastipur.
6. Md. Mumtaj, Son of Md. Zaheer, Resident of village- Mohiuddinpur Rajwa, P.S.- N.H. Bangra, District- Samastipur.
7. Md. Mujtaba, Son of Md. Zaheer, Resident of village- Mohiuddinpur Rajwa, P.S.- N.H. Bangra, District- Samastipur.
8. Md. Ijtaba Saifi, Son of Md. Zaheer, Resident of village- Mohiuddinpur Rajwa, P.S.- N.H. Bangra, District- Samastipur.
9. Sabila Khatoon, Wife of Late Md. Mustaque, Resident of village- Mohiuddinpur Rajwa, P.S.- N.H. Bangra, District- Samastipur.
10. Farjana Khatoon, Wife of Late Md. Mustaque, Resident of village- Mohiuddinpur Rajwa, P.S.- N.H. Bangra, District- Samastipur, at present Farjana Khatoon Female wife of Late Md. Mustaque, resident of Samiran Ray Road, Kadam Tala, Godhuli gali N.S. Road Asansol (M.Crop.), Bardhaman, West Bengal.
11. Ojair Ahmad, Son of Late Md. Anamuddin, Resident of village- Shahpur, Baghauni, P.S.- Tajpur (O.P. Waini), District- Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Md. Hussamuddin Azad
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-10-2023

1. Heard the learned counsel for the parties.

2. This writ petition has been filed for issuance of appropriate writ, direction or order commanding the respondents to make the payment of compensation amount to the petitioner



of his land situated at Mauza Mohiuddinpur Rajwa, Thana No. 69, bearing Khata No. 1(old), Khesra No. 2626(old), Khesra Nos. 5135, 5099, 5094, 5103 and 5299 (new) total area 1 Acre 75 decimals and the raiyats of the above land are Md. Zaheer and his siblings Late Md. Shoaib, Late Md. Mustaqueem and Late Md. Umar. Out of which land one of the share holder is the petitioner, who is one of the heir of Md. Shoaib. The aforesaid land has been acquired by the respondents authorities upon which land the road i.e. National Highway No. 119D under Bharatmala Project Hajipur Darbhanga has to be constructed. The respondents authorities without considering the facts, total compensation amount of the above land has been paid to the only heirs of Md. Zaheer i.e. respondents No. 6 to 11 ignoring the heirs of three co-sharers of the land i.e. Late Md. Shoaib, Late Md. Mustaqueem and Late Md. Umar.

3. Learned counsel for the petitioner submits that in this regard, he has already filed an application before the District Magistrate, Samastipur vide Annexure-8 dated 27.03.2023 to the writ application.

4. In view of the submission made on behalf of the petitioner, this writ petition is disposed of with direction to the respondent no. 3 namely the District Magistrate, Samastipur to



dispose of the application filed by the petitioner which is pending before him since 27.03.2023, in accordance with law after hearing all the parties by a speaking and reasoned order preferably within a period of three months from the date of receipt/production of a copy of this order.

(Prabhat Kumar Singh, J)

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