

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2959 of 2018

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1. Bhuneshwar Prasad @ Shyam Sunder Prasad
 2. Ram Chandra Prasad, Both Son of Late Bagrudal Mahto, resident of vilage Sikandarpur, P.O. Ketesar, P.S. Anchal Bihta, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector-cum-District Magistrate, Patna.
3. The District Land Acquisition Officer, Patna.
4. The Additional District Land Acquisition Officer, Patna.
5. The Circle Officer, Bihta, District- Patna.
6. Rekha Devi, Wife of Rituraj Kumar Gupta, Resident of Mohalla Mainpura, District Patna.
7. Kumari Usha, Wife of Sri Vijay Kumar Singh, Resident of Village Phulari, P.S. Sandesh District- Bhojpur.
8. Smt. Sadhana Singh, Wife of Late Shailendra Dhari Singh, resident of Dharhara Kothi, Naya Tola, Kadam Kuan, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Kant Kumar, Advocate.
For the Respondent/s	:	Md. Khurshid Alam AAG- 2
For the Respondent No.8:	:	Mr. Srinandan Prasad Singh, Sr. Advocate. Dr. Meeta Mohini, Advocvate.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 01-02-2023 Heard learned counsel for the parties concerned.

The contention of the petitioners is that he is owner of the land inasmuch as *Jamabandi* is standing in the name of petitioners having *Jamabandi* No. 374 of 2001 and 725 of 2017-18. Total area of the land acquired, of the petitioners is 18.25 decimal in mauza Sikandarpur, Bihta, Distt. Patna.

The claim of the petitioners is that the compensation



of the aforesaid land has not been given to them and same has been given in favour of respondent No. 8 on the basis of Judgment of the Title Suit, which according to the petitioners, is a wrong statement made by learned counsel for the State.

On the other hand, Mr. Srinandan Prasad Singh, learned senior counsel appearing for the Respondent No. 8 submits that the land belongs to Respondent No. 8 and the compensation has rightly been paid in his favour inasmuch as there is a decree of civil court passed in favour of respondent No. 8 in Title Suit No. 306 of 2010, which according to the petitioners, is still pending and no decree has been passed.

Be that as it may, as per Section 64 of the Land Acquisition Rehabilitation and Resettlement Act, 2013, aggrieved by the determination as well as payment of award, as the case may be, and the person to whom it is payable, along with its apportionment, one can file a written application before the Collector, who in turn will make reference before the appropriate authority.

Section 51 of the Land Acquisition Rehabilitation and Resettlement Act, 2013 prescribes that the appropriate Government shall, for the purpose of providing speedy disposal of disputes relating to land acquisition, compensation,



rehabilitation and resettlement, establish by notification, one or more authorities to be known as “the Land Acquisition Rehabilitation and Resettlement Authority” (in short LARA) to exercise jurisdiction, powers and authority, conferred on it by or under this Act.

Learned counsel for the State informs that LARA under this Act has been constituted and the same is functioning.

Heard learned counsel for the parties concerned and taking into consideration the nature of dispute between the parties, the petitioners are directed to approach the “LARA” within a period of two weeks’ for redressal of their grievance in accordance with law.

Accordingly, this application stands disposed of with aforesaid observation and direction.

(Anil Kumar Sinha, J)

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