

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11913 of 2018**

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1. Neeraj Kumar and Ors Son of Sri Devendra Sharma R/o Salimpur Ahra, P.S. - Gandhi Maidan, District - Patna.
2. Richa Mishra W/o Sri Rakesh Kumar Mishra R/o Shivpuri, P.S. and P.O. Shastri Nagar, District - Patna.
3. Rajani Mishra W/o Sri Mritunjay Mishra R/o Shivpuri, PO P.S. - Shastri Nagar, District - Patna.
4. Prakash Kumar S/o Sri Anand Kumar R/o Village PO Aachua, P.S. - Barh, District - Patna.
5. Ankit Raj S/o Sri Niranjana Prakash Singh R/o Beside Aatma Smriti Apartment, Main Road, Budha Colony, P.S. Budha Colony, District Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Revenue, Government of Bihar, Patna.
3. Dy. Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
4. The District Magistrate, Patna.
5. The District Land Acquisition Officer, Patna.
6. The Circle Officer, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Kamaluddin, Adv.  
For the Respondent/s : Mr. Rishi Raj Sinha, SC-19

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

8      04-07-2023                      Counsel for the petitioners and counsel for the State  
are present.

The present writ application has been filed for directing the respondent to pay the compensation of the acquired land of the petitioners at the rate of prevailing market value or at least at the rate of the valuation fixed by the

Government according to the new Government Circular along with 24% penal interest.

Counsel for the petitioners submits that counter-affidavit has been received from the State and it transpires from the counter-affidavit that the application of the petitioners has been referred before the authority under Section 65 of The Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013 (hereinafter referred to as 'the Act of 2013') in the year 2020, which is annexed in Annexure-B to the counter affidavit filed on behalf of respondent Nos. 4 and 5.

In this background, counsel submits that no decision has taken place as yet on the reference made in the year 2020. Counsel further prayed that direction may be given to the Land Acquisition, Rehabilitation, and Resettlement Authority (L.A.R.R.A.) to pass an order on the reference within stipulated period since it is a matter of 2011.

Counsel for the State submits that after reference, the matter is before the Land Acquisition, Rehabilitation, and Resettlement Authority under Section 65 of the Act of 2013, the petitioner has no case before the Court.

Since the case of the petitioners has been referred

before the Land Acquisition, Rehabilitation, and Resettlement Authority, the present writ petition has now become infructuous.

However, the Land Acquisition, Rehabilitation, and Resettlement Authority is directed to pass order in the matter at the earliest as this is a matter of 2011, preferably within 9 months from the date of production of this order before the Land Acquisition, Rehabilitation, and Resettlement Authority.

With the aforesaid observation and direction, this writ petition is hereby disposed off.

**(Dr. Anshuman, J.)**

Ashishsingh/-

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