

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1170 of 2021

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1. Jitendra Mishra Son of Raghunath Mishra Resident of Village- Madhubani Tola Sukhalahiya, P.S.- Sagarampur, District- East Champaran, Motihari.
 2. Ravindra Rai Son of Gagandeo Rai Resident of Village- Madhubani Tola Sukhalahiya, P.S.- Sagarampur, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Excise Department, Govt. of Bihar, Patna.
2. The District Magistrate Motihari, East Champaran.
3. The A.D.M. East Champaran, Motihari.
4. The Land Reform Officer East Champaran, Motihari.
5. The Sub- Divisional Officer Areraj, East Champaran, Motihari.
6. The Land Acquisition Officer Motihari, East Champaran, Motihari.
7. The Circle Officer Sagrampur, East Champaran, Motihari.
8. Biond Ram Son of Ramchandar Ram Resident of Village- Madhubani Tola, Sukhalahiya, P.S.- Sagarampur, District- East Champaran, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 10-10-2023 Heard learned counsel for the petitioners and the State.

2.Writ petition has been filed for directing the respondents no. 2 and 6 for stay of notification no. 30/13 dated 2.3.2020 as also to set aside order of the District Land Acquisition Officer, Motihari, East Champaran dated 7.1.2021 (annexure 8) by which objection of petitioner and others for



construction of approach road by acquiring the land of the petitioner and others has been rejected.

3. Learned counsel for the State submits that in view of provisions contained in 'Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013', matter is required to be heard by the District Magistrate, Motihari, East Champaran (respondent no.2) for proper assessment of the compensation amount.

4. Learned counsel for the State submits that the petitioners are entitled to get adequate compensation in accordance with the law and the concerned authorities are also ready to do so, provided they produce documents with respect to their right and title over the land in question.

5. In the facts and circumstances of the case, writ petition is disposed of with a direction to the petitioners to file a representation before the District Magistrate, Motihari, East Champaran along with all the relevant documents in support of the claim, within a period of six weeks from today.

6. In the event, such representation is filed by the petitioners, respondent no. 2 shall examine the claim of the petitioners and pass a reasoned and speaking order in accordance with law after hearing the parties preferably within a



further period of six months.

(Prabhat Kumar Singh, J)

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