

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10877 of 2022

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1. Kamla Devi, Wife of Ramjeet Saw, resident of Village- Maudahi, P.O. - Katesar, P.S. - Bihta, District - Patna.
 2. Jay Krishna Prasad, Ray son of Late Shri Prasad Ray, resident of Village - Sikandarpur, P.O. - Katesar, P.S. - Bihta, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Secretariat, Patna.
2. The District Magistrate, Patna Collectorate, Patna.
3. The District Land Acquisition Officer, Patna Collectorate, Patna.
4. The Additional District Land Acquisition Officer, Patna Collectorate, Patna.
5. Most. Kalawati Devi wife of Late Mahendra Singh @ Late Mahendra Mahto, resident of Village - Sikandarpur, P.O. - Katesar, P.S. - Bihta, District - Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rashid Izhar, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (SC 25)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 25-08-2023

Heard learned counsel for the petitioners and learned
counsel for the State.

2. The present application has been filed for directing the respondent authorities to comply with the order dated 02.03.2020 passed in Land Acquisition Reference Case No. 311/2016(P) (arising out of L. A. Case No.01/2011-12) passed by the Land Acquisition Rehabilitation and Resettlement Authority, Patna and pay the awarded compensation amount to the petitioners.



3. Learned counsel for the petitioners submits that the Land Acquisition Rehabilitation and Resettlement Authority, Patna has decided the Land Acquisition Reference Case No. 311/2016(P) (arising out of L. A. Case No.01/2011-12) in their favour vide order dated 02.03.2020, but payment has not been made to the petitioners by the District Land Acquisition Officer. The petitioner has filed a representation to that effect before the District Land Acquisition Officer, Patna, as contained in Annexure-2 to the writ petition, but till date no action has been taken on the representation of the petitioners. Therefore, they have preferred the writ petition.

4. Learned counsel for the State submits that from the order, it transpires that one Mostt. Kalawati Devi who is respondent No.5 in the present case had contested the Land Acquisition Reference Case No. 311/2016(P) (arising out of L. A. Case No.01/2011-12).

5. In this background, respondent No.3, namely, the District Land Acquisition Officer, Patna is directed to take a decision on the representation of the petitioner (Annexure-2 to the writ petition) within three months from today considering this aspect that Land Acquisition Reference Case No. 311/2016(P) has been decided in favour of the petitioners and



also if Mostt. Kalawati Devi has not preferred any appeal under Section 74 of the Right To Fair Compensation and Transparency in Land Acquisition, Rehabilitation And Resettlement Act, 2013 and there is a stay in her favour. The time frame of the representation (Annexure-2) shall be counted from the date of production/receipt of a copy of this order.

6. With the aforesaid observation and direction, the writ petition stands disposed of.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	29.08.2023
Transmission Date	NA

