

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9296 of 2023

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Nand Kumar Gupta, S/o Dadhibal Prasad, R/o village - Daulatpur, P.S. -
Koilarwar, District - Bhojpur (Ara).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Revenue and Land Reforms Department, Bihar, Patna.
2. The Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The District Magistrate, Bhojpur (Ara).
4. The District Land Acquisition Officer, Bhojpur (Ara).
5. The Executive Engineer, Building Construction Department, Bhojpur (Ara).
6. The Circle Officer Koilarwar, District - Bhojpur at Ara.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Binod Murari Mishra, Advocate
For the State	:	Mr. Sajid Salim Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-12-2023

1. Heard learned counsels for the parties.

2. This writ application has been filed seeking a direction to the respondents to disburse the amount of compensation to the petitioner on the basis of measurement made by the Building Measurement Department along with interest at the rate of current market rate.

3. It is contended on behalf of the petitioner that the land of the petitioner pertaining to Khata No. 29, Khesra No. 327, Building SN-51 situated at Mauza- Daulatpur, along with the house was acquired by the authorities for which notice was given to the petitioner and the said land including house of the petitioner was acquired for construction of road. It is further



submitted that after assessing the compensation, the petitioner was found entitled to receive Rs. 37,37,136/- as per the rate fixed by the authority concerned. However, only an amount of Rs. 36,39,616/- has been paid to the petitioner and the rest of the amount has not yet been paid.

4. Learned counsel for the State raises preliminary objection to the effect that an alternative statutory remedy is available to the petitioner under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

5. In the above view of the matter, this Court is not inclined to interfere in the matter in its extra-ordinary writ jurisdiction.

6. This writ application stands dismissed, with liberty to the petitioner approach the appropriate forum as may be available to him in accordance with law.

7. In the event the petitioner files his representation before the appropriate forum, the same shall be disposed of after hearing the parties, in accordance with law.

(Prabhat Kumar Singh, J)

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