

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14764 of 2012

1. Md. Safi Alam
2. Md. Manjoor Alam
3. Md. Wali Alam and
4. Md. Shami Alam, all sons of late Abdul Hai, resident of village Papraur,
Muslim Tola east, Police Station Barauni, District Begusarai.
... .. Petitioners

Versus

1. The State Of Bihar
2. the District Magistrate Begusarai
3. the District Land Acquisition Officer, Begusarai
4. the senior Regional Manager, Hindustan Petroleum corporation ltd.
Papraur, NH 31, District Begusarai
... .. Respondents

Appearance :

For the Petitioner/s : Mr.Subroteswar De, Advocate
For the Respondent/s : Mr.Neeraj Nandan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9 04-10-2023 Heard learned counsel for the petitioners and the
State.

2.Writ petition has been filed for directing the respondents to fix compensation of the land of the petitioners at current market rate besides solatium @ 70% since the respondents did not follow statutory provisions to assess the proper compensation and also for quashing order vide Memo No.357 dated 16.6.2012, issued by the District land Acquisition Officer, directing the petitioners to receive ex-gratia payment.

3. Learned counsel for the petitioners 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, Begusarai (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, Begusarai (respondent no.2) along with all the relevant documents in support of the claim, within a period of six weeks from today.

5. 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 within a further period of six months.

(Prabhat Kumar Singh, J)

shashi/-

U			
---	--	--	--

