

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16745 of 2022

1. Santosh Kumar Son of Brijanandan Sinha, Resident of Ward No. 16, Near Refral Hospital, Lalpatti, Police Station- Triveniganj, District- Supaul.
2. Noor Mohammad Son of Auli Miyan, Resident of Ward No. 07, Matkuriya Latauna, Police Station- Triveniganj, District- Supaul.
3. Ram Kumari Devi Wife of Kamal Narayan Sharma, Resident of Ward no. 11, Opposite Bank of India, Patarghatti, Thaliha Garhia, Police Station- Triveniganj, District- Supaul.
4. Kulasum Devi Wife of Tapeswar Yadav, Resident of Ward No. 11, Lalpatti, Babhanganwa, Police Station- Raghapur, District- Supaul.

... .. Petitioner/s

Versus

1. The Union of India through the General Manager, Araria Supaul New Rail Line Pariyojana, East Central Railway, Samastipur Division, District- Samastipur, Bihar.
2. The General Manager, Araria Supaul New Rail Line Pariyojana, East Central Railway, Samastipur Division, District- Samastipur, Bihar.
3. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
4. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
5. The Secretary, Land Acquisition and Land Reforms Department, Government of Bihar, Patna.
6. The District Magistrate-cum-Land Acquisition Officer, Supaul.
7. The Land Acquisition Officer, Supaul.
8. The Circle Officer, Triveniganj, Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra, Adv.
For the Respondent/s : Mr. Additional Solicitor General

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-09-2023 Heard learned counsel for the petitioners, counsel for the State and counsel for the Union of India.

2. Counsel for the petitioners submits that the petitioners' land have been acquired for the construction of rail

line. Counsel further submits that they have received the letter by which they have been called for to receive the compensation amount, but petitioners are aggrieved from the lower price and demanded to enhance the compensation amount at higher side, as according to him, wrong nature of the land has been decided.

3. Counsel for the State and the Union of India submit that under Section 20F of the Railways Act, 1989, the person whose land is subject to acquisition, is entitled to receive the amount with objection and is also entitled to raise the claim before the competent authority under the law for enhancement of compensation.

4. In this view of the matter, this writ application stands disposed of with liberty to the petitioners to avail remedy by filing application under Section 20F of the Railways Act, 1989, within 4 weeks along with a copy of this order before the Arbitrator for enhancement of their claim and the Arbitrator is directed to decide this matter within 9 months from the date of filing the application.

(Dr. Anshuman, J.)

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