

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11679 of 2018

1. Ram Ekbal Singh and Ors S/o Late Ambika Singh
2. Mahesh Singh S/o Late Raghuni Singh
3. Ram Nagina Singh S/o Late Bulaki Singh All R/o Village- Tinpai Tola,
Police Station- Athmal Gola, District-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Collector, Samastipur
3. The Land Acquisition Officer, Samastipur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Binod Bihari Singh
For the Respondent/s : Mr.Rishi Raj Sinha- Sc19

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 30-10-2024

In the instant petition, petitioner has prayed for
the following relief(s):-

(i) That an
order/orders, direction/ directions
may be issued by way of appropriate
writ to the Respondents to pay the
compensation for an area of land
measuring .3227 Acre of R.S. Plot
No. 2506 (R.S. Khata No. 998)
under Village- Arazi Barari
Ramnagar (Thana No. 242) of
Anchal- Patori in the district of
Samastipur in accordance with law
prevailing/effective in the State of
Bihar at present.



2. Learned counsel for the petitioner submits that he has only specific grievance that the land measuring 0.3227 Acre of R.S. Plot No. 2506 (R.S. Khata No. 998) under Village- Arazi Barari Ramnagar (Thana No. 242) of Anchal- Patori in the district of Samastipur also belongs to the petitioner but no compensation has been given with regard to the extent of land as mentioned above. Learned counsel has specifically focused on the notice dated 16.12.2013 (Annexure-2) issued by the District Land Acquisition Officer, Samastipur, where it has been mentioned that 1.4605 Acre of land bearing L.A. No. 1, Khesra No. 2506 has been acquired for approach road under proposed Bye Pass from Karjan Village (N.H. 28) to Tazpur vide Notification No. 1170/ Land Acquisition dated 29.10.2013 under Section 4 of the L.A. Act. He further submits that the order of the Collector, Samastipur as contained in Annexure-3 denotes that compensation of Rs. 4,60,809/- in respect of Plot No. 2506, area 1.1378 has been paid, but the rest extent of land i.e. 0.3227 decimal has been recorded in the name of unidentified person for which the compensation has not been paid. Learned counsel submits that the order of the Collector, Samastipur (Annexure-3) is totally



inconsistent with the notice dated 16.12.2013 (Annexure-2) where extent of land is already mentioned 1.4605 Acre and there is no any basis to denote the 0.3227 land in the name of unidentified person. The order of Collector does not reveal any basis for which the extent of land in question has been recorded in the name of unknown person.

3. Learned counsel for the State submits that it is a matter of record and the submission of counsel of petitioner cannot be rebutted. He is unable to reply as to why Annexure 3 is totally different with Annexure-2 where extent of 0.3227 decimal land has been shown in the name of unknown person. However, with respect to the said grievance, petitioner may approach the concerned authority, which will be considered as per law.

4. Considering the facts and circumstances of the case and the arguments advanced on behalf of both the parties, the present writ petition stands disposed of with liberty to the petitioner to file representation before the concerned authority within six weeks from the date of receipt of this Order. The concerned authority is also hereby directed to consider the grievance of the petitioner after giving due opportunities of hearing the parties and pass order



expeditiously, preferably, within eight weeks from the date of
filing of his representation, in accordance with law.

(Alok Kumar Pandey, J)

alok/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.10.2024.
Transmission Date	NA

