

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.473 of 2019

Subodh Mehta Son of late Umedlal Mehta, Resident of Village-Gamharia,
P.S.-Bhargama, District-Araria

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Water Resources Department, Government of Bihar, Patna
2. The Director, Land Acquisition and Rehabilitation, Water Resources Department, Government of Bihar, Patna
3. The District Land Acquisition Officer, Kosi Project, Saharsa.
4. The District Land Acquisition Officer, Kosi Project, Araria.
5. The Special Land Acquisition Officer, Kosi Project, Araria.
6. The District Land Acquisition Officer, Kosi Project, Purnia.
7. The Special Land Acquisition Officer, Kosi Project, Purnia.
8. The Collector, Saharsa.
9. The Collector, Supaul
10. The Collector, Araria,
11. The Collector, Purnia,
12. The Executive Engineer, Jal Nishtaran and Anushandhan Pramandal, Purnia.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Veena Kumari Jaiswal
For the Respondent/s : Mr.Vikash Kumar

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2024

Heard the parties.

*2. This petition is being filed on behalf of the
petitioner for issuance of an appropriate writ, order or direction
directing the respondents to pay the compensation amount to
the petitioner with up to date interest over the amount due for*



the lands belonging to the petitioner which has already been acquired by the respondents in the year 1980-81 and compensation has not been paid as yet and since then the petitioner has been dispossessed from the land and land of the petitioner has already been used for construction of Kosi Canal/barrage in the locality and since then in spite of repeated requests made by the of the petitioner no compensation has been paid as yet.

3. Counter affidavit on behalf of the respondent Nos. 1 and 2 (Secretary, Water Resources Department, Government of Bihar, Patna and Director, Land Acquisition and Rehabilitation, Water Resources Department, Government of Bihar, Patna) which was filed on 6th July, 2019 after service of copy upon the learned counsel for the petitioner on 1st July, 2019 is on record and paragraph 12 read as follows:-

12. *That it is humbly stated that the deponent that the answering respondent was not taken possession land in question, the land in question is still vacant and cultivated by the petitioner and such the petitioner is legal owner and his continue possession over the land in question.*



4. In view of the said specific statement of the State that his land has not been taken for acquisition purpose and the petitioner did not rebut the same for next five years, accepting it, this Court holds that the writ petition has got no merit.

5. Accordingly, the writ petition stands dismissed.

(Rajiv Roy, J)

Guddu/-

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