

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8538 of 2017

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Munni Devi wife of Deo Narayan Prasad, resident of Village- Sakaddi, P.S.-
Koilarwar, District- Bhojpur Ara.

... .. Petitioner/s

Versus

1. The State Of Bihar, through the Chief Secretary Govt. of Bihar.
2. The Commissioner, Patna.
3. The Collector, Bhojpur at Ara.
4. The Addl. Collector, Bhojpur at Ara.
5. The Land Reform District, Bhojpur at Ara.
6. The District Land Acquisition Officer, Bhojpur at Ara.
7. The Sub-Div. Magistrate cum-Addl. Land Acquisition Bhojpur at Ara.
8. The Circle Officer, Koilarwar Circle, Koilarwar, District- Bhojpur.
9. The Circle Inspector, Koilarwar Circle, Koilarwar, District- Bhojpur.
10. The Halka Karmchari, Koilarwar Circle, Koilarwar, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kamlesh Kumar, Advocate Ms. Kahkashan Alam, Advocate
For the Respondent/s	:	Mr. Rishi Raj Sinha, SC-19 Mr. Manoj Kumar Sinha, AC to SC-19
For the LARRA	:	Mr. S.N. Pathak, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-05-2024

Heard the parties.

2. The present writ petition has been preferred for the
grant of following relief/s:-

*“i. For the quashing of entire land
acquisition proceeding by which land is
being acquired for state highway 81
(Sakaddi to Nasriganj) in non compliance of
the provision under section 5A and section 9
in pursuant to section 4 & 9 of the land
acquisition act 1894 hereinafter in short*



returned as L.A. Act 1894.

ii. Further quashing of the said proceeding non compliance of the provision of section '9' in perusing to the declaration under section 6 as published on 28.02.2012 in daily news paper under L.A. Act 1894.

iii. Further to declare that the land acquisition proceeding initiated under L.A. Act 1894 is lapsed on the ground in terms of section 24 of the New Act 2013 as the Right to air compensation and Transparency in land Acquisition Rehabilitation and Resettlement Act, 2013. Hereinafter short referred as R.F. C.T. L.A. R.R. Act 2013 and still till date physical possession of the land in question has not been taken nor the compensation has been paid to the petitioner by the respondent.

iv. To declare that quantum of award has. been made under either old or new Act is invalid in non compliance of provision of L.A. Act 1894.

v. After quashing the of entire acquisition proceeding, direction be given to the respondent Authorities to initiate the fresh proceeding for the land in question under FCTLARR Act 2013 or to calculate and to determine the quantum of Award for the land in question accordance with the provision laid down under sec. 26 to 30 of



the new Act 2013 or w.e.f. 01.01.2014 to the petitioner as so he submitted representation earlier to the respondents.

vi. Any other relief/reliefs be granted to the petitioner as so he is entitled in the eyes of law.”

3. Learned counsel for the petitioner submits that immediately after filing of the writ petition, he got a notice from the District Land Acquisition Officer, Bhojpur at Ara. Learned counsel for the petitioner further submits that it would suffice if he is granted liberty to approach the concerned authority (L.A.R.R.A.) pursuant to the said notice.

4. Granting said liberty the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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