

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11380 of 2016

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1. Dharmendra Yadav and Anr S/o Late Anandi Yadav
 2. Dayanand Yadav S/o Late Anandi Yadav
Both resident of village-Jagannathpur, P.O-Nandlalpur, P.S-Kahalgoan, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary, Govt of Bihar, Patna.
3. The Special Land Acquisition Officer Canal Middle Sinchai Pariyojana, Bhagalpur.
4. The District Magistrate, Bhagalpur, District-Bhagalpur.
5. The District Land Acquisition Officer, Bhagalpur, District-Bhagalpur.
6. The Circle Officer , Kahalgaon, District-Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Gupta, Adv.
For the Respondent/s : Mr. Anshuman Singh, GP24

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL JUDGMENT

Date : 22-08-2024

Heard learned counsel for the parties.

2. In this writ application, the petitioners have
prayed for following relief(s):-

*“1. That this writ application is being filed
for issuance of the writ nature of mandamus for
direction to the respondents to grant compensation
of the land, land of the petitioners bearing Khata
no. 128, Khesra no. 291, Area 6 decimals has been
acquired by the respondents out of them only Rs.
18,755/- paid to the petitioners remaining cost of
the land has not been paid to the petitioner, further
issued direction to respondents to grant the*



compensation of the land which has been acquired by the Special Land Acquisition Officer (Canal) Middle Sinchai Pariyojana, Bhagalpur and further give other legal consequential benefit to the petitioner.”

3. Learned counsel for the petitioners submits that the land bearing Khata No. 128, Khesra No. 291 and area 6 decimals is a Khatiyani land of the petitioners which has been acquired by the respondent authorities. He further submits that the petitioners have been paid the compensation amount of Rs. 18,755/- whereas the petitioners are entitled for payment of Rs. 1,92,000/- and, thus, the petitioners are entitled for a differential amount of Rs. 1,73,245/- along with interest over the same.

4. Learned counsel for the petitioners further submits that the petitioners have filed an application dated 28.01.2016 before the respondent Special Land Acquisition Officer (Canal), Middle Irrigation Project, Bhagalpur in Acquisition Case No. 29/2007-08 regarding compensation of the land but, the same has not yet been disposed of and is still pending consideration. Accordingly, learned counsel for the petitioners seeks a direction upon the Special Land Acquisition Officer (Canal), Middle Irrigation Project, Bhagalpur (Respondent No.3) to dispose of the pending application dated 28.01.2016, within a fixed time frame.



5. Learned counsel for the respondent-State submits that in case the aforesaid application dated 28.01.2016 is still pending, the same may be disposed of, within a stipulated time frame, as is fixed by this Hon’ble Court.

6. Having regard to the facts and circumstances of the case, this Court deems it fit and proper to direct the Special Land Acquisition Officer (Canal), Middle Irrigation Project, Bhagalpur (Respondent No.3) to dispose of the aforesaid application, in case the same has not yet been disposed of, in accordance with law within a period of eight weeks from the date of receipt/production of a copy of this order.

7. The writ petition stands disposed of on the aforesaid terms.

(Rudra Prakash Mishra, J)

rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.08.2024
Transmission Date	

