

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6336 of 2018

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Madan Sah, Son of Surya Narayan Sah, Resident of Village- Bhadraswar,
Anchal- Farbisganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation, Government of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 6510 of 2018

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1. Sapan Kumar Das
 2. Pawan Kumar Das
 3. Ranjan Kumar Das
 4. Raghunath Das
 5. Bharat Kumar Das
 6. Arjun Kumar Das
- All are Sons of Adhan Chandra Das, Resident of Village- Refuge Colony,
Bela, P.S.- Narpatganj, Dist- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.



6. The District Land Acquisition Officer, Araria, District - Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District - Araria.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 6668 of 2018

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Anita Devi, W/o Sri Muktanand Jha, Residing at Narendra Sadan, Flat No. 2A, 2nd Floor, Justice Mandal Path Road no. 3, Ward No. 22, P.O. + P.S.- Shastringar, Distt.- Patna- 23.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 6698 of 2018

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Moti Lal Mehta, Son of Thuthar Mehta, Resident of Village-Bela, Ward No. 5, P.S. Narpatganj, Distt. Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Government of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.



7. The Executive Engineer, Road Construction Department, Road Division,
District- Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 6876 of 2018

Pramod Kumar Mandal, Son of Late Baldeo Mandal, Resident of Village-
Atiyari, Forbesganj, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms
Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar,
Patna.
3. The Director, Land Acquisition and Rehabilitation, Department, Govt. of
Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division,
District- Araria

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 6878 of 2018

Sanjay Kumar Sah, Son of Late Ramjee Sah, Resident of Village- Jogwani,
Ward No.11, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms
Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar,
Patna.
3. The Director, Land Acquisition and Rehabilitation, Department, Govt. of
Bihar, Patna.
4. The District Magistrate/ Collector, Araria, District- Araria
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division,
District- Araria



... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 6913 of 2018

Rahul Kumar Tejaswi, Son of Jeevan Prasad Sah, Resident of Village Forbesganj, P.S. Forbesganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 6933 of 2018

Arvind Kumar Sah, Son of Late Dashrath Sah, resident of Village- Jogbani, Ward No. 6, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Government of Bihar, Patna.
4. The District Magistrate/ Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s



with
Civil Writ Jurisdiction Case No. 7076 of 2018

Gurudev Bahardar, S/o Mahesh Lal Das, Resident of Village- Bhadeswar,
P.S.- Farbisganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation, Department, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 7149 of 2018

Nirmala Devi, W/o Sri Tirthanand Jha, Resident of Village- Parwaha Ward
no.14, P.S.- Farbisganj, Dist- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with



Civil Writ Jurisdiction Case No. 7156 of 2018

Gobardhan Sah, S/o Badri Sah, Resident of village- Bhadeswar, P.S.- Farbisganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7346 of 2018

Rajendra Kumar Ray, Son of Late Satya Narayan Ray, Resident of Village- Bela, Yadav Tola, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7372 of 2018



Raghunandan Mehta, Son of Lakshman Mehta, Resident of Village- Bela,
P.S.- Narpatganj, Dist.- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7380 of 2018

Vishwanath Pd. Gupta, Son of Late Shyamdeo Gupta, Resident of Village-
Basmatiya, P.S.- Narpatganj, Dist.- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation, Department, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7391 of 2018

Dev Narayan Yadav, Son of Sri Tanuk Lal Yadav, Resident of Village- Bela,
P.S.- Forbesganj, District- Araria.



... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Government of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7397 of 2018

Janki Devi, Wife of late Deo Lal Mehta, Resident of Village- Barouda, ward no. 8, P.O.- Banaili, Birpur, Distt. Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reform Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Government of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7423 of 2018

Shyam Sunder Mehta, Son of Late Sita Ram Mehta, Resident of Village- Bela, P.S.- Narpatganj, District- Araria.

... .. Petitioner/s



Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Government of Bihar, Patna.
4. The District Magistrate/ Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7432 of 2018

Rajnish Kumar Jha @ Rajnish Kumar, son of Sri Ugranand Jha, Resident of Village- Forbesganj, Ward No. 20, P.S. Forbesganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Government of Bihar, Patna.
4. The District Magistrate/ Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The Special Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7534 of 2018

Ishwar Mehta, Son of Fulchand Mehta, Resident of Village- Mehta Tola Bela, P.S.- Narpatganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms



Department, Govt. of Bihar, Patna

2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Government of Bihar, Patna.
4. The District Magistrate/ Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 7560 of 2018

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Duryadhan Chandra Das @ Duryadhan Das, S/o Rakhal Chandra Das,
Resident of Village- Bela, P.S.- Farbisganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 7587 of 2018

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1. Badri Pd. Gupta,
2. Kedar Pd Gupta,
Both are Son of Jagat Pd. Gupta, Resident of Village- Bouraha, P.S.- Birpur,
Dist.-Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms



Department, Govt. of Bihar, Patna.

2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation, Department, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7592 of 2018

Ram Sagar Mehta, Son of late Deo Narayan Mehata, Resident of Village- Bouraha, P.S. Birpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Government of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7682 of 2018

Chhaya Devi, Wife of Hari Kishore Singh, Resident of Village- Farbisganj, P.S.- Farbisganj Dist.-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar,



Patna.

3. The Director, Land Acquisition and Rehabilitation Department, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7753 of 2018

Gurudev Bahardar, S/o Mahesh Lal Das, Resident of Village- Bhadeswar, P.S.- Farbisganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 7758 of 2018

1. Bidyanand Mandal, Son of Nunu Lal Mandal,
2. Rajendra Prasad Das, Son of Sadanand Mandal,
Both Resident of Village- Matiari, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar,



Patna.

- 3. The Director, Land Acquisition and Rehabilitation Department, Govt of Bihar, Patna.
- 4. The District Magistrate/Collector, Araria, District- Araria.
- 5. The Special Land Acquisition Officer, Araria, District- Araria.
- 6. The District Land Acquisition Officer, Araria, District- Araria.
- 7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 8135 of 2018

Gobardhan Sah, S/o Badri Sah, Resident of Village- Bhadeswar, P.S. Farbisganj, District- Araria.

... .. Petitioner/s

Versus

- 1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
- 2. The Principal Secretary, Land Acquisition and Rehabilitation, Govt. of Bihar, Patna.
- 3. The Director, Land Acquisition and Rehabilitation, Government of Bihar, Patna.
- 4. The District Magistrate/ Collector, Araria, District- Araria.
- 5. The Special Land Acquisition Officer, Araria, District- Araria.
- 6. The District Land Acquisition Officer, Araria, District- Araria.
- 7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

with
Civil Writ Jurisdiction Case No. 8152 of 2018

Munna Kumar Sah, Son of Badri Sah, Resident of Village- Bhadeshwar, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

- 1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
- 2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
- 3. The Director, Land Acquisition Department, Govt. of Bihar, Patna.



4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 8166 of 2018

=====

Surya Narayan Sah, Son of Late Lakshman Sah, Resident of Village-
Basmatiya, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Govt. of Bihar Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District Araria.
6. The District Land Acquisition Officer, Araria, District Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 8232 of 2018

=====

Shanti Devi, Wife of Suga Lal Mehta, Resident of Village- Bouraha, P.O.-
Banaili, P.S.- Birpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation Department, Government of Bihar, Patna.
4. The District Magistrate/ Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.



6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 8326 of 2018

=====

Vikash Kumar, S/o Bharat Pd Sah, Resident of Village- Bhadeswar, P.S. Farbisganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation, Government of Bihar, Patna.
4. The District Magistrate/Collector, Araria, District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 8368 of 2018

=====

Arun Kumar Swarnkar @ Arun Swarnkar, S/o Jagarnath Swarnkar, Resident of Village- Ghurna Bazar, P.S.- Ghurna, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna
2. The Principal Secretary, Land Acquisition Department, Govt of Bihar, Patna.
3. The Director, Land Acquisition and Rehabilitation, Govt. of Bihar, Patna.
4. The District Magistrate/Collector, Araria District- Araria.
5. The Special Land Acquisition Officer, Araria, District- Araria.
6. The District Land Acquisition Officer, Araria, District- Araria.
7. The Executive Engineer, Road Construction Department, Road Division, District- Araria.



... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 6336 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Raj Kishore Roy-GP18

(In Civil Writ Jurisdiction Case No. 6510 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Rishi Raj Sinha-SC19

(In Civil Writ Jurisdiction Case No. 6668 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Rishi Raj Sinha- SC19

(In Civil Writ Jurisdiction Case No. 6698 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Sajid Salim Khan- SC25

(In Civil Writ Jurisdiction Case No. 6876 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Sajid Salim Khan- SC25

(In Civil Writ Jurisdiction Case No. 6878 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

(In Civil Writ Jurisdiction Case No. 6913 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Sajid Salim Khan- SC25

(In Civil Writ Jurisdiction Case No. 6933 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Raj Kishore Roy -GP18

(In Civil Writ Jurisdiction Case No. 7076 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Md. Khurshid Alam -AAG12

(In Civil Writ Jurisdiction Case No. 7149 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

(In Civil Writ Jurisdiction Case No. 7156 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

(In Civil Writ Jurisdiction Case No. 7346 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Sajid Salim Khan-SC25

(In Civil Writ Jurisdiction Case No. 7372 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Raj Kishore Roy-GP18

(In Civil Writ Jurisdiction Case No. 7380 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

(In Civil Writ Jurisdiction Case No. 7391 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Rishi Raj Sinha -SC19

(In Civil Writ Jurisdiction Case No. 7397 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

(In Civil Writ Jurisdiction Case No. 7423 of 2018)

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Respondent/s : Mr. Rishi Raj Sinha -SC19

(In Civil Writ Jurisdiction Case No. 7432 of 2018)



For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam- AAG12
(In Civil Writ Jurisdiction Case No. 7534 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14
(In Civil Writ Jurisdiction Case No. 7560 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14
(In Civil Writ Jurisdiction Case No. 7587 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Sajid Salim Khan- SC25
(In Civil Writ Jurisdiction Case No. 7592 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam- AAG12
(In Civil Writ Jurisdiction Case No. 7682 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14
(In Civil Writ Jurisdiction Case No. 7753 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam -AAG12
(In Civil Writ Jurisdiction Case No. 7758 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha- SC19
(In Civil Writ Jurisdiction Case No. 8135 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha- SC19
(In Civil Writ Jurisdiction Case No. 8152 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Raj Kishore Roy- GP18
(In Civil Writ Jurisdiction Case No. 8166 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Raj Kishore Roy -GP18
(In Civil Writ Jurisdiction Case No. 8232 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Raj Kishore Roy- GP18
(In Civil Writ Jurisdiction Case No. 8326 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha- SC19
(In Civil Writ Jurisdiction Case No. 8368 of 2018)
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Respondent/s : Mr. Sajid Salim Khan- SC25

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
CAV JUDGMENT

Date : 10-12-2024

Considering the identical nature of grievance based upon similar facts, with the consent of all the parties; these batch of the writ petitions were heard simultaneously and being disposed of by this common order/judgment



2. The petitioners are land holders, the particulars of which are duly mentioned in the writ petitions and were acquired for the purposes of constructing Indo-Nepal Border Road under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (For the brevity 'the Act, 2013').

3. The petitioners are aggrieved with the letter(s)/notice(s) issued under different Memo(s), as also the entire proceeding initiated by the respondent District Magistrate/Collector, Araria on the basis thereof the respondents have re-opened the proceeding of acquisition already finalized and the amount of compensation and solatium already paid to the petitioners and, as such, barred in terms of Section 37 of the Act, 2013. The petitioners are also aggrieved by the letters issued by the respondent District Land Acquisition Officer, Araria whereby the Bank account of the petitioners have been made frozen with instructions to the lead Bank to stop permitting operations until permission of the respondents. The petitioners are also assailed the decision of the respondents, leading to constitution of Six Men Committee and its report whereby the nature of the land have been changed from Residential to Agricultural. Finally, the petitioners sought



quashing of the letters whereby the differential amount of compensation has been demanded from the petitioners.

4. In sum and substance, the petitioners sought a declaration that once the whole mechanism and process of acquisition of land right since preliminary notice published under Section 11 of the Act till payment of compensation pursuant to finality of award under Section 37 of the Act has been completed, no provisions of the Act confers any jurisdiction and authority upon the respondent Collector or the Respondent District Land Acquisition Officer to reopen the award by disputing the parameters and the basis leading to such finality of land acquisition proceeding.

5. The facts are not in dispute that a total 456.01.200 acres of land from 64 villages falling under four Anchals viz Narpatganj, Forbesganj, Kurshakanta and Sikta were intended to be acquired by the State Government for constructing Indo-Nepal Border Road. The necessity and requirement expressed by the Road Construction Department for construction of aforementioned road, the land owned by the petitioners and other similar such landowners were proposed to be acquired by way of notification No. 639 dated 11.05.2016 issued under Section 11(1) of the Act, 2013, published in the official gazette as well



as in newspapers. On 12.05.2016, the respondents published another notification under Section 19(1) of the Act, 2013 regarding declaration and summary of rehabilitation and resettlement as prescribed in law for the land proposed to be acquired.

6. It is stated that in course of acquisition of the land of the petitioners, the respondent District Land Acquisition Officer, Araria called upon the petitioners to furnish the particulars of land, documents of title, details of interest in the said land, land possession certificate, rent payment receipts etc. The petitioners submitted the copies of the respective title deed/sale deed of the land, rent payment receipts and land possession certificate before the respondent District Land Acquisition Officer and also executed an affidavit as required by the said authority. Having completed all the paraphernalia, the respondent District Land Acquisition Officer took possession of the land of the petitioners, before the publication of final award. However, subsequent thereto, the petitioners received payment of compensation and solatium on different dates. The land(s) so acquired were handed over to the concerned agency after awarding contracts for construction of roads and finally roads have been constructed on almost all such acquired land and it is



in public use for the present and thus the purpose, for which the lands have been acquired, have already been served and the whole project of acquisition has been finalized.

7. All of a sudden in the month of August, 2017, the petitioners learnt from their respective Banks that their accounts existing in the said Bank has been rendered frozen at the instance of the respondent District Land Acquisition Officer. The petitioners learnt from the contents of the letter that for undisclosed reasons, their Bank accounts had been subjected to stop operation until permission of the Collector. The petitioners received a letter bearing memo No. 459 dated 28.07.2017 by the respondent District Land Acquisition Officer whereby it was intimated that complaints were received from which it was inferred that in collusion with the requisitioning department, the nature of lands belonging to the petitioners were got converted. The issue was enquired by a team constituted for that purpose and the enquiry concluded that the aforesaid lands belonging to the petitioners happened to be agricultural in nature. By the aforesaid letter, the petitioners were asked to appear before the respondent Collector for hearing in the matter. The petitioners in some of the cases ensured their appearance and submitted reply. However, in the submission of the petitioners, no further



information was made by any of the respondents and all of a sudden, the petitioners received a letter bearing Memo No. 181 dated 17.03.2018 issued by the respondent District Land Acquisition Officer whereby the petitioners have been called upon to repay the differential amount of compensation on account of alleged excess compensation received by them, which were held recoverable in course of enquiry conducted by six men committee. As per the letter aforementioned, the lands of the petitioners were found to be agricultural whereas they have received compensation for the said land being residential in nature.

8. Similar issue as has been raised in this batch of writ petitions have come up for consideration in C.W.J.C. No. 6863 of 2018 (**Girish Kedia Vs. The State of Bihar & Ors.**) and other analogous cases wherein this Court having taken note of the submissions advanced on behalf of the learned Advocate for the petitioners as well as the State respondents and after anxiously perusing the materials available on record vide its order/judgment dated 29.11.2024 dismissed all the writ petitions with certain observations.

9. In the ends of justice, this Court deems it proper to encapsulate the relevant paragraphs of the said decision



[C.W.J.C. No. 6863 of 2018 (**Girish Kedia Vs. The State of Bihar & Ors.**)], which also governed the issues raised in the present batch of the writ petitions:

“25. Undisputedly the land, in question, was acquired from the Raiyats/petitioners for constructing road over Indo-Nepal Border under the Emergency Provision of Section 40 of the Act, 2013. Section 40 of the Act, 2013 deals with the Special powers in case of urgency to acquire land in certain cases.

26. Section 40 (1) clearly stipulates that in cases of urgency, whenever the appropriate Government so directs, the Collector, though no such award has been made, may, on the expiration of thirty days from the publication of the notice mentioned in section 21, take possession of any land needed for a public purpose.

27. Sub-Section 3 of Section 40 makes it clear that before taking possession of any land under sub-section (1) or sub-section (2), the Collector shall tender payment of eighty per cent of the compensation for such land as estimated by him to the person interested entitled thereto.

28. Sub-Section 4 of Section 40, which would be relevant in the present matter needs to



be quoted hereinbelow:

“(4) In the case of any land to which, in the opinion of the appropriate Government, the provisions of sub-section (1), sub-section (2) or sub-section (3) are applicable, the appropriate Government may direct that any or all of the provisions of Chapter II to Chapter VI shall not apply, and, if it does so direct, a declaration may be made under section 19 in respect of the land at any time after the date of the publication of the preliminary notification under sub-section (1) of section 11.”

29. Bare reading of the aforesaid provision, it is explicit that the appropriate Government is empowered to direct that any or all of the provisions of Chapter II to Chapter VI shall not apply, and, if it does so direct that a declaration made under section 19 in respect of the land at any time after the date of the publication of the preliminary notification. The initial payment of compensation is only based upon estimation done by the Collector.

30. Admittedly after issuance of notification under Section 11(1) of the Act, 2013 immediately further notification under Section



19(1) of the Act, 2013 as contemplated to invoke the Emergency provisions under Section 40 of the Act, 2013 has been issued on 12.05.2016.

31. From cumulative reading of both the notifications issued under Section 11(1) and Section 19(1) of the Act, 2013, it is axiomatic that the land, in question, is acquired under the Emergency Provision of Section 40 of the Act, 2013 and thus the social impact assessment study provided under Section 4 and the provisions of hearing of objections under Section 15 of the Act, 2013 shall not be applicable; in as much as the compensation paid by the Collector was based upon estimation. Thus any acquisition proceeding commenced under Section 40 of the Act, 2013 excludes the provision of Chapter II to Chapter VI, if otherwise it is directed under Section 19 of the Act, 2013.

32. In view of the aforesaid facts, the submission of the learned Advocates for the petitioners to the effect that at all the stages, as discussed above, the nature of land as to whether it is residential or agricultural have brought to the attention of the acquisition authority and such an important aspect would not have been eluded the attention of the authorities while carrying out such an exercise with ground level, in the opinion of this Court



does not stand substantiated.

33. It is noteworthy that the Government of Bihar in the Department of Revenue and Land Reforms vide its letter contained in Memo No. 450 dated 12.04.2017 and further in Memo No. 150 dated 15.02.2018, brought on record by way of counter affidavit, issued under the signature of Principal Secretary of the concerned Department communicated to all the Collectors of the State of Bihar in public interest that to resolve the dispute with regard to acquisition of the land and its nature, category or the rate, a committee was required to be constituted under the Chairmanship of the District Magistrate. Accordingly, the Government of Bihar took a decision to constitute a Six Men Committee consisting of District Magistrate, Additional Collector-cum Rehabilitation and Resettlement Officer, District Land Acquisition Officer, District Sub-Registrar, Representative of Requisitioning Authority, Deputy Development Commissioner-cum-Chief Executive Officer. The aforementioned letter also made it clear that after publication of notification under Section 19(1) of the Act, 2013 and before issuance of notice upon the affected land holders/raiyats, there shall be a proper inspection of the notified land and thereupon the rate of the land shall be determined.



34. *In Rai Sahib Ram Jawaya Kapur and Ors. Vs. The State of Punjab*, reported in **AIR 1955 SC 549**, the Hon'ble Supreme Court held that ordinarily the executive power connotes the residue of governmental functions that remain after legislative and judicial functions are taken away. The executive Government, however, can never go against the provisions of the Constitution or of any law. The executive function comprises both the determination of the policy as well as carrying it into execution.

35. *In the case of J & K Public Service Commission vs. Narinder Mohan (Dr)*, reported in **(1994) 2 SCC 630**, the Hon'ble Supreme Court observed that the executive power could be exercised only to fill in the gaps but the instructions cannot and should not supplant the law, but only supplement the law. Accordingly exercising of Executive power cannot be in contravention of the Constitution or any other law.

36. While executive power is circumscribed by the limits imposed by the Constitution, and by any other law, this does not imply that executive power can be exercised only when there is a law already in existence. The executive's powers are not restricted solely to carrying out the laws passed by Parliament. It includes other functions such as supervising



general administration, formulation, and execution of policy, etc.

37. The Hon'ble Supreme Court has also consistently held that such clarificatory circulars cannot amend or substitute principal legislation. But if the principal legislation made thereunder is silent, then the Government can issue clarifications to supplement principal legislation by issuing instructions.

38. In the case in hand, the notification under Sections 11(1) and 19(1) of the Act, 2013 have been issued on 11.05.2016 and 12.05.2016 before issuance of the aforementioned letters, nonetheless the modalities as contemplated there, in the letters of the State Government is not in any manner contrary to the prescriptions as provided under the Act, 2013.

39. It is axiomatic that an administrative decision which is not based on a dispute between the two parties and which is not rendered after hearing the parties, does not operate as res judicata. The party affected by it as also the authority making the decision are amenable to review the same. The interests of fairness to individuals whose interests will otherwise be directly and prejudicially affected may lead the Courts to attribute binding effect to administrative acts and decisions which the competent authority wishes to repudiate or



rescind. Indeed, it would seem that the legal competence of administrative bodies to rescind their decisions depends at least as much on considerations of equity and public policy as on conceptual classification (Prof. S.A.De Smith in his "Judicial Review of Administrative Action", 3rd Edn.).

40. Any administrative decision, there is no legal obligation upon the person charged with the duty of reaching the decision to consider and weigh submissions and arguments or to collate any evidence, to solve any issue. The grounds upon which he acts, and the means which he takes to inform himself before acting, are left entirely to his discretion. Subsequently, not only administrative action, but also administrative decision can be reviewed to redress injustice caused thereby. It is implicit in this principle that in redressing injustice to one injustice should not be caused to some other.

41. The law is well settled that any amount paid/received without the authority of law can always be recovered barring exceptions of extreme hardships or prohibited under any Statute/ Rules, but not as a matter of right. In such situation, law implies an obligation on the payee to repay the money, otherwise it would amount to unjust enrichment. The Hon'ble Supreme Court on various occasions held that the



excess payment of public money which is often described as "tax payers money" belongs neither to the officers who have effected over-payment nor that of the recipients. Possibly, effecting excess payment of public money by officers, may be due to various reasons like negligence, carelessness, collusion, favouritism etc. because money in such situation does not belong to the payer or the payee. Payments are being effected in many situations without any authority of law and payments have been received by the recipients also without any authority of law. This Court is also not unmindful of the fact that the land of the petitioners have been acquired by the State Government in terms of the prescription of Act, 2013 and thus they should be compensated adequately in commensurate with the valuation of the land. In case, the land holders get less payment against the value of their acquired land, it would be certainly transgress the statutory and constitutional right to property as mandated under Article 300A of the Constitution, but once they receive excess payment to the value of their land, it would certainly amount to unjust enrichment.

42. In view of the above, this Court does not find any error in the action of the respondents in determining the nature of the land and its rate, if the same was found to be unjust, all the more, the Government is entitled to review



an administrative decision, if the same is unjust and contrary to law; that too, in the case in hand, when the process of acquisition is yet to be finalized by preparation and approval of the award under Section 37 of the Act, 2013.

43. This Court does not find that it is a case where the Collector has reviewed his order; on the contrary, the process has never been completed inasmuch as award has never been prepared and approved. The compensation paid to the petitioners were only based upon estimation; Later on having apprised and acquainted with the mistake committed by the Land Acquisition Officer and the other responsible authorities, the same has been rectified by constituting a Six Men Committee and action has been taken against the erring officials.

45. So far the contention of the petitioners that in case of difference of opinion on the point of nature of the land, such dispute is always amenable to Land Acquisition, Rehabilitation and Resettlement Authority (hereinafter referred to as 'the LARRA') is concerned the same does not find any substance in the facts of this case. The Act, 2013, especially Section 51 of the Act provided a forum i.e. LARRA to adjudicate the disputes relating to acquisition of land, compensation payable and



the preparation of compensation of which interested persons have made different claim. If there would have been any dispute with regard to the determination of the nature of the land, such a dispute may be referred to the jurisdiction of the said authority having sufficient mechanism available for redressal of grievance of any of the parties to a land acquisition proceeding, which might have arisen in relation to any issue associated with such proceeding.

46. There is no dispute that if the Collector comes to the conclusion that the lands, in question, are agricultural, but the compensation has been paid by treating it as residential, in such circumstances, the aggrieved party was supposed to take recourse to the remedy available, as provided under Section 64 of the Act, 2013 by getting the matter referred to the said authority, only if there is an award and parties are aggrieved and not accepted the award.

47. Section 64 contemplates under the Act, 2013 empowering the Collector to refer the dispute to the Authority, if any person interested, who has not accepted the award may by written application require that the matter be referred for determination of the Authority, whether his objection be to the measurement of the land, the amount of the compensation, the person to whom



it is payable or the apportionment of the compensation. Section 64 (2) of the Act, 2013 mandates that the application shall state the grounds on which objection to the award is taken, provided that such application shall be filed within six weeks from the date of the Collector's award; and in other cases, within six weeks of the receipt of the notice from the Collector under section 21, or within six months from the date of the Collector's award, whichever period shall first expire.

48. Perusal of the prescriptions as contemplated under Section 64 of the Act, 2013, clearly indicates that to invoke this provision it is absolutely necessary to challenge the award, if any person interested has not accepted the award. In the case in hand, it is the admitted position that award has not even been approved till date.

*49. Reliance of the petitioner on a decision of this Court in the case of **Dhan Jee Pandey** (supra) has no application in the case in hand as that was the case where land was acquired under the National Highway Authority Act, 1956, which is a self contained code and, moreover, there was already an award passed by the competent authority, but later on a decision has been taken by the State to get the excess amount refunded, which had already been paid,*



on account of having found the nature of the land agriculture instead of residential.

50. This Court has also gone through the materials on record and found that before reassessment/determination of the land, in question, the land owners have been noticed and many of them filed their response, thus, the contention of the petitioners' that no notice or any opportunity was given prior to determination of land also does not get supported from the record.

51. In view of the aforesaid facts, circumstances and the position in law, this Court does not find any merit in this batch of the writ petitions. Let the award may be passed within a period of three months, if not passed till date after completing all the formalities. Suffice it to observe that the petitioners would have the liberty to assail the same in accordance with prescription, as provided under the Act, 2013, if any person interested has not accepted it.

52. Now coming to the legality of the impugned action of the respondent Collector to the extent whereby, apart from directing the petitioners to ensure the payment of deferential amount of compensation; for the said purpose has frozen the Bank accounts of the petitioners, this procedure is apart from illegal and arbitrary, do not have any sanction of law. Thus this Court deprecate such action. However, the respondent



authorities shall be at liberty to recover the differential amount by taking recourse of Public Demand Recovery Act, 1914 or through any other Act, in accordance with law, after finalization of the award, but without any interest accrued thereupon, as the petitioners were never at fault.

53. All the writ petitions stand dismissed with the aforesaid observation.”

10. Apart from the issues finally adjudicated, as noted hereinabove, in C.W.J.C. No. 6863 of 2018 and other analogous cases, the petitioners have also placed reliance upon an order passed by the LARRA in Land Acquisition Reference Case No.1 of 2019, which came to be disposed of vide order dated 14.03.2022 holding one of the land holder, namely, Sushila Devi, entitled to get/receive the compensation amount for her acquired land, being Residential in nature and, accordingly, the office was directed to prepare the award.

11. Suffice it to observe that any order passed by the LARRA in a case, which was referred by the competent authority under Section 64 of the Act, 2013 is dependent upon the specific facts and circumstances of the said case and cannot be treated as a binding precedent unless the land holders would be able to show that his/her/their case(s) is/are identical to the said case. It has also not been disclosed to this Court as to



whether in such case, there had been an award passed by the concerned Collector or not. So far the jurisdiction and power of the LARRA is concerned, the same has been duly considered by this Court in C.W.J.C. No. 6863 of 2018 (Girish Kedia Vs. The State of Bihar & Ors.) and other analogous cases, especially in paragraph nos. 45 to 49.

12. In view of the aforementioned facts, inter alia, the issue raised in the present batch of writ petitions have already been duly answered in the case of **Girish Kedia** (supra), all these writ petitions stand dismissed in similar terms.

(Harish Kumar, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	13.09.2024
Uploading Date	12.12.2024
Transmission Date	NA

