

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11324 of 2018

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Malti Devi Wife of Sri Mahesh Prasad, Resident of Village- Telhara Tadpar,
P.O. P.S.- Telhara, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Co-Ordinator, Sone Canal Project, Aurangabad.
3. The Special Land Acquisition Officer, Sone Yojna, Daya Mukhya Canal Project, Aurangabad, Bihar.
4. The Executive Engineer, Irrigation Department, Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjan Kumar Sharan, Advocate
For the Respondent/s	:	Mr.Vikash Kumar- SC11
		Mr.Rewti Kant Suman, AC to SC 11

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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):-

*“For issuance of a
direction/directions to the respondents
to pay the compensation of land
acquisition amount to the petitioner
on revised and appropriate rate of
compensation in view of Section 24
(2) of the Right to Fair Compensation
and Transparency in Land Acquisition
Rehabilitation and Resettlement Act,
2013 (hereinafter to be referred as
'the Fair Compensation Act, 2013')
and further for payment of
compensation with interest pendente*



lite and/or making award upon multiplying four times of the present market value of the land and for other relief/reliefs, order/orders for which the petitioner is entitled in the facts and circumstances of the case.”

2. Learned counsel for the petitioner submits that in respect of the grievance regarding payment of appropriate and revised amount of compensation for acquisition of the land in question at new market rate, petitioner has filed representation before Special Land Acquisition Officer, Sone Yojna, Daya Mukhya Canal Project, Aurangabad on 30.05.2018 (Annexure-2) but the same has not been decided uptill now.

3. Learned counsel for the State has submitted that payment regarding acquisition of land in question has already been made. It has been submitted that land was acquired in the year 2011 and payment of compensation has been made in the year 2012. The sole thrust of the petition is for disposal of the representation submitted by the petitioner vide Annexure-2. He submits that belated representation made by the petitioner vide Annexure 2 of the writ petition, is not maintainable in the light of the submission that the payment has already been made in the year 2012. He, however, submits that with respect to the



said grievance, petitioner may approach the concerned authority by filing a fresh representation, which would be considered as per law

4. Considering the facts and circumstances of the present 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 afresh representation alongwith all necessary materials for seeking compensation at new rate within six weeks from the date of receipt of this Order. The concerned authority is hereby directed to consider petitioner’s grievance and pass appropriate order expeditiously, as per the law.

(Alok Kumar Pandey, J)

alok/-

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

