

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4887 of 2024

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Surendra Ray Son of Shiv Balak Rai, Resident of Village-Jhala, P.S.-Kurli Court, Circle- Thakurganj, District-Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar Through the Secretary Department of land Reform Govt of Bihar Patna.
2. The director Land reform and rural development Govt. of Bihar, Patna.
3. The District Magistrate, P.S. and District - Kishanganj.
4. The District Land Acquisition Officer, Kishanganj, P.S. and District - Kishanganj.
5. The Circle Officer, Kishanganj, P.S. and District-Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Advocate
For the Respondent/s : Mr. Additional Advocate General (3)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-06-2024 Heard the parties.

2. The present petition has been preferred for the following reliefs:-

(i) for setting aside the order dated 11.07.2022 passed in Land Acquisition Case No. 06/2018-19 passed by the Learned Court of Land Acquisition, Rehabilitation and Resettlement Authority, Purnea by which he has paid the valuation of Land as per old rate for the Mauza-Churli, Khata no. 163, Khesra No. 4634, 4635, Residential in nature of the house Pakka measuring 343.74 sq. ft.;

(ii) for proper payment to the petitioners



concern the Land Acquisition proceeding under section- 64(1) along with the settlement Act Under Section- 65 of the right to fair compensation and transparency of the Land Acquisition Rehabilitation and Resettlement Act 2013;

(iii) for the payment of interest against delayed payment to the petitioner.

3. After some argument, learned Counsel for the petitioner submits that an order has been passed by the Land Acquisition, Rehabilitation and Resettlement Authority, Purnea on 11.07.2022 (Annexure-5 to the petition) and he has to challenge it under the appropriate section of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (henceforth for short 'the 2013 Act').

4. Section 74 of 'the 2013 Act' read as follows:-

"74. Appeal to High Court.-(1) The Requiring Body or any person aggrieved by the Award passed by an Authority under Section 69 may file an appeal to the High Court within sixty days from the date of Award;

Provided that the High Court may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the said period allow it to be filed within a further period not exceeding sixty days.



(2) Every appeal referred to under sub-section (1) shall be heard as expeditiously as possible and endeavour shall be made to dispose of such appeal within six months from the date on which the appeal is presented to the High Court.”

5. In that background, the writ petition stands disposed of granting liberty to the petitioner to take appropriate steps as per section 74 of the aforesaid 2013 Act.

6. The writ petition stands disposed of.

(Rajiv Roy, J)

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