

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7607 of 2016

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Rita Devi wife of Rabindra Kumar Singh resident of Village/P.O. - Nerut, P.S.
- Sare, District - Nalanda at Biharsharif.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Nalanda at Biharsharif.
3. The District Land Acquisition Officer, Nalanda at Biharsharif.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sidhendra Narayan Singh, Advocate
For the Respondent/s : Mr. Ravi Kumar, AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 16-02-2024 Heard Mr. Sidhendra Narayan Singh, learned
counsel for the petitioner and Mr. Ravi Kumar, learned AC to
AAG-13.

*2. The present petition has been preferred for
issuance of an appropriate writ/writs, order/orders and/or,
direction/directions commanding the respondents to pay land
compensation as per New Act of 2013 i.e. The Right to Fair
Compensation and Transparency in Land Acquisition,
Rehabilitation and Resettlement Act, 2013, calculating in terms
of sec. 26(1)(a) read with sec. 24(1)(a) of the Act, 2013 or for
necessary reference to Authority under the Act for said
determination of land compensation regarding Award No. 62 &
61-Ka, detailed in Award/Notice, contained in Ann-1 &1/a,*



issued to petitioner in L.A. Case No. 06/06-07 by the Collector, Nalanda at Biharsharif against land acquisition for construction of Rail Line from Biharsharif to Barbigha.

3. Learned counsel for the petitioner submits that though the compensation amount was granted to the lady pursuant to acquisition of land for the Railway purposes, the amount in the light of 2013 Act of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, was not considered.

4. His submission is that an appropriate application was preferred by the petitioner before the Collector, Nalanda at Biharsharif as also the District Land Acquisition Officer, Nalanda at Biharsharif on 11.04.2016 (Annexure-4 to the writ petition) without any response.

5. Though a counter affidavit on behalf of the respondent nos. 2 and 3 is on record, having been filed eight years after the filing of the writ petition in the year 2024, reply to paragraph 7 has not been given.

6. In that view of the matter, instead of keeping the writ petition pending, it would be appropriate that the same is disposed of with a direction to the respondent no. 2, the Collector, Nalanda at Biharsharif to consider the said



representation dated 11.04.2016 of the petitioner if the same has still not been considered within a period of three months from today.

7. The writ petition stands disposed of.

(Rajiv Roy, J)

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