

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6186 of 2023

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Shyam Sunder Maheshwari Son of Late Amar Chand Maheshwari Resident of Forbesganj, Marketing Yard Chowk, Ward No.-06, P.S.-Forbesganj, District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Land Acquisition Officer, Araria Bihar.
4. The District Magistrate, Araria Bihar.
5. DCLR, Araria, Bihar.
6. General Manager, National Highways Authority of India, Project Implementation Unit, Araria, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar Ojha, Advocate
For the State	:	Mr. Sajid Salim Khan, S.C.-25
For the N.H.A.I.	:	Mr. Rajesh Shandilya, Advocate
		Mr. Vinayak Harshvardhan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 18-03-2024 Heard Mr. Ajit Kumar Ojha, learned Counsel for the petitioner as also learned State Counsel and learned Counsel appearing on behalf of the N.H.A.I.

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

(i) for a direction to the respondent authorities to pay the compensation due to the petitioner against the acquisition of his land situated at NH-27, the description of which is



Khata No.- 125, Khesra No.- 350, Mauza - Kirkiriya, Ward No. 06 (old) and 08;

(ii) for imposing a penal interest on the authorities concerned against the amount payable to the petitioner for having delayed the matter pertaining to compensation for such a long period of time.

3. Affidavits both on behalf of the N.H.A.I as also the State are on record and as per the District Land Acquisition Officer, Araria, communication has been made with the N.H.A.I., Darbhanga regarding the payment that has been made to the petitioner for acquisition of 0.2 decimal of land relating to Khata No. -125, Khesra No.- 350, Thana No. - 151 under Mauza- Kirkichiya in the District of Araria.

4. Learned Counsel appearing on behalf of the petitioner submits that it is closer to the toll plaza that is functioning on the N.H.-27 and as such, minuscule amount has been calculated for compensation which has to be re-looked. However, he is unable to clarify whether the same amount has been extended to other farmers whose land has been acquired or he has been singled out.

5. In that background, instead of keeping the case



pending, it would be appropriate that the District Collector, Araria be directed to constitute a committee to get the land in question surveyed through a committee constituted by him and the committee must include the District Land Acquisition Officer, Araria who shall submit a report on the compensation amount that has been extended to the petitioner and/or whether it needs a review.

6. Entire exercise must be completed within a period of four months from the date the petitioner submits the representation.

7. C.W.J.C. No. 6186 of 2023 stands disposed of.

(Rajiv Roy, J)

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