

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6618 of 2022

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1. Jayendra Prasad Singh S/o Late Trilok Prasad Singh Resident of Mahadeva Road, Utsav Vastralaya, P.S.- Bihta, District- Patna, Bihar- 801103.
 2. Manoj Kumar S/o Jayendra Prasad Singh Resident of Mahadev Road, Utsav Vastralaya, P.S.- Bihta, District- Patna, Bihar- 801103.
 3. Vinod Kumar Singh Son of Jayendra Prasad Singh Resident of Mahadev Road, Utsav Vastralaya, P.S.- Bihta, District- Patna, Bihar- 801103.
 4. Sanjay Kumar Son of Jayendra Prasad Singh Resident of Mahadev Road, Utsav Vastralaya, P.S.- Bihta, District- Patna, Bihar- 801103.

... .. Petitioners

Versus

1. The State of Bihar through its Secretary, Land Acquisition Department, Patna, Bihar.
2. The Union of India through its Secretary, Ministry of Civil Aviation, New Delhi.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Ankit Kishore, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (Aag12)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 9 06-02-2024 Heard learned counsel for the petitioner and the State.
2. Writ petition has been filed for quashing notification no. 14/DLA Patna (Airport) 13/2016 as the award for rehabilitation and resettlement has not been considered and the award is based on incorrect social impact report. Petitioners seeks setting aside land acquisition proceedings as resettlement and rehabilitation award has not been passed under schedule 2 and schedule 3 of the RFTCLARR Act. Petitioners have also prayed for directing respondent authorities to acquire land of the petitioners in event more land is required by the authorities for construction of the Airport, paying adequate compensation at commercial rate to the petitioners as well as direction to respondent authorities to invite the petitioners to settle the amount of compensation under the chairmanship of Collector or



any officer appointed by him and for the purpose of settlement of disputes. They have further prayed for payment of adequate compensation for the restrictions posed under the Aircraft Act, for diminishing the monetary value of the land and inconvenience caused by virtue of restricted access i.e. no easementary right without any alternate access as also to give a way to the petitioners to access their land with NOC to carry agricultural, Residential and Commercial activities on the land of the petitioners.

3. However, after some arguments, learned counsel for the petitioners requests that liberty may be given to the petitioners to move before the appropriate authority for redressal of their grievances as well as to request the respondent authorities to acquire the land of the petitioners adjacent of earlier acquired land, in event more land is required by the respondents for extension of the project work for construction of the Airport, paying adequate compensation at commercial rate.

4. Writ petition stands disposed of with the aforesaid liberty.

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(Prabhat Kumar Singh, J)

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