

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9681 of 2020

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Rameshwar Prasad @ Nathuni Rai Son of Late Sitaram Rai Resident tof
Village-Bahadurpur, Police-Station-Town Samastipur, District-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna
2. The Collector, Samastipur.
3. The Additional Collector, Samastipur.
4. The District Land Acquisition Officer, Samastipur.
5. The Circle Officer, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha, S.C.-19
Mr. Saurav Kumar, A.C. to S.C.-19

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

10 11-03-2024 Heard Mr. Bijay Bhushan Prasad, learned Counsel

for the petitioner and Mr. Saurav Kumar, learned A.C. to S.C.-

19.

2. The present petition has been preferred for:-

*issuance of writ in the nature of
mandamus or any other writ/s, order/s, direction/s
to the respondent for payment of award to the
petitioner in terms of amended act, for which his
land was acquired under Land Acquisition Case
No. 44 of 2003-04 bearing part of plot nos. 148
and 149 of Village- Bahadurpur P.S. Town, District*



- *Samastipur for construction of approach road from the house of Binddu Poddar to near the house of Baleshwar Paswan.*

3. A counter affidavit of the respondent nos. 2 to 5 is on record and paragraph nos. 10 and 11 read as follows:-

“10. That in the meantime on 17.07.2017 it was observed that for process of the acquisition of land of Mauza Samastipur, Thana No. 198, P.S.-Samastipur area 0.0647 Acre CO Samastipur had sent proposal but the same process was not completed and in the mean time The Right to Fair Compensation and Transpiration in Land Acquisition Rehabilitation and Resettlement Act 2013 has been enforced from 01.01.2014 and it was found that area of Land for Acquisition is much less and in progress of Land Acquisition would take more time hence the requisition be sent back to Circle Officer, Samastipur for acquisition under the Lease process vide letter No. 863/L.A. dated 20.07.2017.

11. That from the fact stated in above paras, it transpired that acquisition process of land acquisition was not completed and hence question of preparation of award and payment of Compensation does not arise at all.”

4. In that view of the matter, instead of keeping the case pending, it would be appropriate that the petitioner appear



before the respondent no. 4, the District Land Acquisition Officer, Samastipur and/or the competent authority within four weeks from today who shall take immediate steps and the matter be taken to its logical conclusion in the light of the statement made by respondent themselves in paragraph nos. 10 and 11, as incorporated above.

5. The entire exercise be completed as early as possible and not beyond six months from the filing of the representation.

6. C.W.J.C. No. 9681 of 2020 stands disposed of.

(Rajiv Roy, J)

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