

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.128 of 2019

1. The State of Bihar through the Collector, Nalanda.
2. District Land Acquisition Officer, Nalanda.

... .. Appellant/s

Versus

Chanchala Sinha wife of Sri Vijay Kumar resident of Village Malawan, Post Malawan, Police Station- Sarmera, District Nalanda.

... .. Respondent/s

Appearance :

For the Appellant/s : Dr. Shobha Chaubey, Ac to G.P. 19
For the Respondent/s : Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 09-02-2024 The office has brought notification no. 14/DLA-Policy (First Appeal)- 113/13-943/R on the record which reads thus:-

Government of Bihar
Revenue & Land Reforms Department
(Directorate of Land Acquisition)
Notification No. 14/DLA-Policy (First Appeal)-113/13-943/R

Notification

Dated 17-08-15

The State Government of Bihar, after reviewing the matters of First Appeal Cases pertaining to Land Acquisition filed in Hon'ble Patna High Court, has taken following decisions by superseding the previous issued Notifications-

(i) First Appeal should be filed in such cases of Land Acquisition in which total compensation amount involved is not more than Rs. 5,00,000.00 (Five Lac)



(ii) First Appeal cases of Land Acquisition involving compensation amount up to Rs. 5,00,000.00 (Five lac) filed by the State Government should be withdrawn on the basis of compromise through Lok Adalat.

(iii) Now, in cases of Land Acquisition, amount involving upto Rs. 5,00,000.00 (Five lac) first Appeal should not be filed by the State Government.

(iv) In cases of Land Acquisition amount involving more than Rs. 5,00,000.00 First Appeal may be filed after fully scrutinizing the rationale on the basis of merit and demerit The legal process of filing of Appeal will continue.

(v) The above fixed compensation amount in cases of withdrawal on the basis of compromise through Lok Adalat would not be used, in other cases, as pre example and decision on other cases would be taken on the basis of merit and demerit of each case.

Clarification: Compensation amount means amount involving value of land that is to be acquired, value of assets existing on the land, additional compensation amount and solatium as per relevant provisions of Land Acquisition Act. 1894 (amended from time to time) and The Right To Fair Compensation and Transparency In Land Acquisition,



Rehabilitation and Resettlement Act, 2013.

By the order of the Governor of Bihar

Sd/-

Secretary

2. In view of the sub para (iii) of the notification;

This appeal is not maintainable as awarded amount is Rs
1,53,143/- only.

3. Accordingly, this appeal is dismissed as not
maintainable.

(Khatim Reza, J)

sankalp/-

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