

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18033 of 2019

Subhash Chandra Sinha, Son of Late Chandeshwar Prasad, Resident of Village/Mohalla- Tufanganj, P.S.- Rahui, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department (Land Acquisition), Govt. of Bihar, Patna.
2. Principal Secretary, Revenue Department (Land Acquisition), Govt. of Bihar, Patna.
3. Director, Land Acquisition, Bihar , Patna.
4. Principal Secretary, Irrigation Department (Flood Control), Govt. of Bihar, Patna.
5. Engineer-in-Chief, Irrigation Department (Flood Control), Govt. of Bihar, Patna.
6. District Magistrate, Nalanda at Bihar Sharif.
7. Sub-Divisional Officer, Bihar Sharif, District- Nalanda.
8. Circle Officer, Rahui Block, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar , Advocate Mr. Dharendra Kumar , Advocate
For the Respondent/s	:	Mr. Vinay Kirti Singh (Ga2) Mr. Sumant Kumar Singh, AC to GA 2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 08-02-2024 Heard learned counsel for the parties.

2. This writ application has been filed for the following reliefs:-

*(a) For issuance of direction
upon respondents authorities to
pay compensation to the
petitioner for 10 decimal of*



residential land of the petitioner under Khata No. 008 Plot No. 1445 situated in Village Imamganj, P. S. and Block- Rahui, District- Nalanda which has been taken/used by the respondents for making the Bandh on the bank of River Panchane with interest at the rate of 9% interest per annum since the date of taking possession till the date of actual payment besides a cost of Rs. 5 lacs towards compensation .

(b) For issuance of an appropriate writ to respondent authorities for taking possession of 10 decimal of land of the petitioner in construction of Bandh without giving any notice



or without paying any compensation is absolutely illegal, arbitrary, whimsical and is violative of the fundamental right of the petitioner guaranteed under various article of the constitution of India

(c) By an ad-interim order the respondents be commanded to pay the compensation as claimed above .

3. By referring to paragraph 6 of the supplementary counter-affidavit filed on behalf of the respondent(s), learned counsel for the state that a *raiya* land measuring an area of 7.329 decimals belonging to the petitioner has been used in work done by the executing agency, and for that, a request has been made by the Circle Officer, Rahui, to the concerned executing agency to compensate the petitioner.

4. In view of the aforesaid facts and



circumstances and also in light of Paragraph 6 of the supplementary counter-affidavit, this writ application is disposed of with direction to respondent No. 6, the District Magistrate, Nalanda, at Bihar Sharif, to expedite the proposal of the compensation and to pay the due compensation in accordance with the law, preferably within a period of three months from the date of receipt of a copy or production of this order.

(Prabhat Kumar Singh, J)

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