

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14689 of 2024

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1. Virendra Tiwari S/o Late Baidyanand Tiwari Resident of Village-Chandrahiya, P.S.- Harsidhi, District- East Champaran.
 2. Santosh Kumar Tiwari S/o Krishn Mohan Tiwari Resident of Village-Chandrahiya, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Revenue and Land Reform Department, Govt. of Bihar, Patna.
2. The District Collector -cum- District Magistrate, East Champaran at Motihari.
3. The District Land Acquisition Officer, Motihari, East Champaran.
4. The Circle Officer, Harsidhi, District East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.
For the Respondent/s : Mr. Madhaw Prasad Yadav, GP23
Mr. Arvind Kumar, AC to GP23

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL JUDGMENT

Date : 26-09-2024

Heard learned counsel for the parties.

2. In this writ application, the petitioners have
prayed for following relief(s):-

*"i. For issuance of an appropriate writ(s),
order(s), direction(s) directing upon the
respondents concerned to make payment of
compensation amount in terms of right to fair
compensation and transparency in Land
Acquisition Rehabilitation and Resettlement Act,
2013 against the acquisition of land bearing
Khata No.-284, Khesra No.-1280, Khata No.-*



285, Khesra No.-1281, 1282, Khata No.-267, Khesra No.- 1550, Khata No.-310 Khesra No.- 1547, Khata No.-277, Khesra No.-1540, Khata No.-269, Khesra No.-1738, Khata No.-314, Khesra No.- 1739 situated in Mauza-Chandrahiya, Thana No.- 106, P.S. Harsidhi, Anchal, Harsidhi as the land has been acquired in the year 2006 for Hajipur Sugauli New Rail Line but till date neither any notice has been given nor any compensations amount has been paid to the petitioners and without paying compensation amount, construction work for new rail line has been started.

ii. For also grant of other benefits under Bihar Land Acquisition Act, 2013 or in alternative release the lands in favour of the petitioners because the land in question is the only livelihood of the petitioners.

iii. For any other relief(s) for which the petitioners are found to be entitled in the facts and circumstances of the case.”

3. Learned counsel for the petitioners submits that the land of the petitioners has been acquired in the year 2006 for Hajipur Sugauli New Rail Line but, till date, neither any notice has been given nor any compensation amount has been paid to the petitioners and, without paying compensation amount, construction work for new rail line



has been started.

4. Learned counsel for the petitioners further submits that the petitioners have filed an application dated 17.02.2024 for payment of the compensation amount before the District Land Acquisition Officer, Motihari (Respondent No.3) which has not yet been disposed of by him as yet and the same is pending consideration before him. Learned counsel for the petitioners accordingly seeks a direction upon the District Land Acquisition Officer, Motihari, East Champaran (Respondent No.3) for disposal of the same within a fixed time frame.

5. Learned counsel for the respondent-State submits that in case the aforesaid application dated 17.02.2024 is still pending, the same may be disposed of within a stipulated time frame, as is fixed by this Hon'ble Court.

6. Having regard to the aforesaid facts and circumstances of the case, this Court deems it fit and proper to direct the District Land Acquisition Officer, Motihari, East Champaran (Respondent No.3) to dispose of the aforesaid



application dated 17.02.2024, in case the same has not yet been disposed of, by passing a final order in accordance with law and after hearing the affected parties, within a period of eight weeks from the date of receipt/production of a copy of this order.

7. The writ petition stands disposed of on the aforesaid terms.

(Rudra Prakash Mishra, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.10.2024
Transmission Date	

