

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16339 of 2024

Manoj Kumar Agrawal Son of Late Nirmal Kumar Das, Resident of Village-
Barihat Laxmi Mandir P.S.- K. Hat Sahayak, District-Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.
2. The Director, Road Construction Department, Govt. of Bihar, Patna.
3. The District Magistrate Cum District registrar, Purnea.
4. The Additional Officer, Purnia.
5. The Land Acquisition Officer, Purnea
6. The Circle Officer, Block-Rupauli, Purnea.
7. Executive Engineer, Road Construction Department, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh
For the Respondent/s : Mr. Government Pleader (6)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 24-10-2024

In the instant petition, petitioner has prayed for the following relief:-

1. That this is an application for issuance of a writ in the nature of Mandamus and / or an appropriate writ for commanding and directing the respondents to pay compensation amount to the petitioner for acquisition of the land done by the respondents in year 1977 for land bearing khata no.- 65, khesra no.- 597, area 2 decimal approx of block Rupauli, District-Purnia for construction of state high way 65 (i.e. Purnea - Dhamdaha- Rupauli-Tikkapatti road) in year 1976-77 and compensation for the land in question has neither given to the father of the petitioner nor to the petitioner till now and without any reason compensation amount of the land has been kept by the respondents for more than 45 years and also direct the



respondents either to pay compensation to the petitioner or vacate the land and handover the same to the petitioner in its original form and further direct the respondents either to pay compensation amount with 18% rate of interest from date of acquisition of the land or to pay compensation of the land in question as per current market rate / price and in not making payment there is no fault of the petitioner anyway and for the same respondents are wholly responsible for the same and/or pass any other order/ orders, direction/ directions from which the petitioner is found legally entitled.

2.Learned counsel for the petitioner submits that land in question pertaining to Khata No. 65, Khesra No. -597, area 2 decimal approx of block Rupauli, District has been acquired by Respondent No. 7, Executive Engineer, Road Construction Department, Purnea for construction of State High Way-65. Learned counsel submits that he has filed petition before land Acquisition Officer but on the said petition no order has been passed till today.

3. Learned counsel for the State submits that matter is of the year 1976-77 and more than 48 years has already been elapsed and petitioner has not approached competent authority for the grievance of the land in question which has been acquired by Respondent No. 7. Learned counsel further submits that present writ is not maintainable.

4. Considering the facts and circumstances of the case, the



present writ petition stands disposed of, reserving liberty to the petitioner to approach the concerned authority for redressal of his grievance. If petitioner represents his grievance before the appropriate authority within a period of four weeks from the date of receipt of this order, the concerned authority is directed to pass appropriate order after hearing the petitioner within six weeks from the date of petitioner’s representation.

(Alok Kumar Pandey, J)

vashudha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.10.2024
Transmission Date	NA

