

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16035 of 2024

Sada Nand Prasad son of Late Ghamandi Mahto @ G. Prasad, resident of village- Bari Kewai, P.O. and P.S.- Daniyawan, District- Patna and resident of Ramkrishna Nagar (West) Saheed Bhagat Singh Chowk, P.S.- Ramkrishna Nagar, Patna- 800027.

... .. Petitioner/s

Versus

1. The State of Bihar represented through the Chief Secretary, Govt. of Bihar, Patna.
2. The General Manager East Central Railway Hajipur, Vaishali.
3. The Personnel Officer, East Central Railway, Zonal Office Hajipur, Vaishali.
4. Divisional Railway Manager, Danapur.
5. Senior Divisional Personnel Officer Danapur.
6. The Collector, Patna, District- Patna.
7. The District Land Acquisition Officer, Patna, District- Patna.
8. The Circle Officer, Circle Office, Daniyawan, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dilip Kumar Mr. Ajit Kumar Ms. Kiran Kumari
For the Respondent/s	:	Mr. Anant Pd. Singh, SC-15
For the UOI	:	Mr. Sabita Singh, Adv

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 22-10-2024

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

That the writ petition has been filed by the petitioner for issuance of writ/writs, order/orders, direction/directions for compensation of land acquired by the District Land Acquisition Officer, Patna in survey plot no. -5 under khata no.-55, thana no.-109, measuring 6 katha at mauza-Bari Kewai, Kita- Bhadi, P.S- Daniyawan, District- Patna for construction of Neura- Daniyawan Bari railway line at Daniyawan, P.S- Daniyawan, District-Patna AND/OR pass such other order or orders as your lordship may deem fit and proper.

2. Learned counsel for the petitioner submits that petitioner has

two brothers namely Ram Rajya Singh and Ramkrishna Prasad.



Learned counsel submits that by virtue of partition on 26.05.2011, petitioner got 14 katha of land in survey plot no. 5 under Khata no. 55, P.S. No. 109, P.S.-Parsa Bazar, District- Patna and petitioner came over as absolute owner of plot no. 5 under khata no-55, thana no-109, measuring 6 katha at mauza-Bari Kewai, Kita-Bhadi, P.S.-Daniyawar, District- Patna and the said land in question has been taken by East Central Railway Zonal Office, Hajipur, Vaishali for construction of Neura-Daniyawar Bari Railway line. Learned counsel for the petitioner submits that he has represented before Land Acquisition officer, Patna for acquiring the land in question with regard to the compensation amount but till today no order has been passed. Petitioner has not been aggrieved by virtue of the order passed by any authority rather he has grievance to get the compensation amount for the the land which has been acquired by the concerned authority.

3. Learned for the State and learned counsel for the Railway both submitted that petitioner has not approached appropriate forum for getting the compensation amount and Khesra No. has not been specifically mentioned even in land possession certificate issued by Circle Officer which is annexed at annexure-3.

4. From the perusal of record, it transpires that petitioner has not approached appropriate authority before approaching this Court regarding the compensation amount for which land of the petitioner has been acquired by East Central Railway Zonal Office, Hajipur,



Vaishali. From material available on record, it indicates that petitioner is not aggrieved by order of any competent authority but his grievance is to get the compensation amount for the the land which has been acquired by the concerned authority.

5. In the light of aforesaid facts and circumstances of the case and discussion made above, petitioner has not made out a case. Accordingly, the writ petition stands dismissed.

6. However, dismissal of the writ petition would not be hurdle for the petitioner to represent his grievance before the concerned authority. If petitioner submits his representation before the concerned within four weeks from the date of receipt of this order, the competent authority is directed to pass order expeditiously as per law in the light of representation made by the petitioner.

(Alok Kumar Pandey, J)

vashudha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.10.2024
Transmission Date	NA

