

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17095 of 2023

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1. Vijay Bahadur Singh Son of Shankar Singh, Resident of village- Kuddi, P.O.- Kuddi, P.S. Chand, District- Kaimur (Bhabua).
 2. Pramod Kumar Singh Son of Rana Pratap Singh, Resident of village- Bhatani, P.O.- Goi, P.S.-Chand, District- Kaimur (Bhabua).
 3. Shashi Kumar Singh Son of Rana Pratap Singh Resident of village- Bhatani, P.O.- Goi, P.S.-Chand, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Road Construction Department, Patna.
2. The Chief Engineer, NH Division, South Bihar, Patna.
3. The District Magistrate, Kaimur (Bhabua).
4. The District Land Acquisition Officer, Kaimur (Bhabua).
5. The Superintending Engineer, NH Circle, Dehri On-Sone, Rohtas.
6. The Executive Engineer, NH Division, Aurangabad.
7. The Circle Officer, Chand, Kaimur (Bhabua).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Mr. Uday Shankar Sharan Singh (GP-19)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-04-2024 Heard Mr. Sanjay Kumar, learned counsel for the

petitioners and the State.

2. The present writ application has been preferred for
the following relief/s:-

*“i. For issuance of an appropriate
writ/s, order/s, Direction/s to the
respondents to pay the amount of
compensation as per MVR effective from*



2014-2015 and suitable compensation be paid @ Rs. 2,00,000/- per decimal minimum to the petitioner for their land since the State has realized the stamp duty on said amount at the time of registration of sale deed of the land in the name of wives of the petitioners on 16.07.2020 but vide notice dated 04.03.2023 only an amount of Rs. 4100/- per decimal is being paid to the petitioners treating the land to be agricultural land whereas it is commercial in nature.

ii. For issuance of an appropriate writ/s, order/s, Direction/s to the respondents for payment of compensation to the petitioner for acquirement of their land as per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013, commensurate to the amount realized by the State as stamp duty at the time of registration of sale deed as treating the land to be commercial in nature and as per the



M.V.R. prevalent w.e.f. 2014-2015 alongwith interest to the petitioners.

iii. For issuance of an appropriate writ/s, order/s, Direction/s to the respondents not to force the petitioners to accept the meager amount which has been fixed as per the award given by the Collector of the district erroneously vide award case no. 08/2023-24 though in the notice under section 37(2) issued to the petitioners in exercise of power given under section 23 and 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013 but the amount of compensation has been calculated as per the whims of the respondent Circle Officer and District Land Acquisition Officer.

iv. To pass such other order/orders as your Lordships may deem fit and proper in the facts and circumstances of this case.”

3. Learned counsel for the petitioners submits that the



petitioners will be approaching the Land Acquisition Rehabilitation and Resettlement Authority within four weeks from today.

4. Learned counsel for the respondents has no objection to it.

5. The writ petition stands disposed of granting liberty to the petitioners to move before ‘the Authority’ as incorporated above.

(Rajiv Roy, J)

Adnan/-

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