

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24850 of 2019

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Doman Pd. Sah alias Hari Nandan Sah, S/o Late Kunji Lal Sah, R/o Bihariganj, P.S. Bihariganj, District- Madhepura (Bihar) Through his constituted attorney Nitesh Kumar.

... .. Petitioner/s

Versus

1. The State of Bihar Through Collector, Madhepura, PS, PO and Distt.- Madhepura (Bihar).
2. Bihar State Agriculture Produce Marketing Board, Pant Bhawan, Bailley Road, Patna, P.S. and District- Patna (Bihar).
3. Bihariganj Agriculture Produce Market Committee, Bihariganj, Distt.- Madhepura (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate
For the Respondent/s : Mr.Subash Chandra Yadav (Gp15)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 29-01-2024 Heard learned counsel for the petitioner and the State.

2. Writ petition has been filed for setting aside the order dated 12.01.2019 passed in Misc. Case No.05/2018 by the Collector, Madhepura declining the prayer made by the Petitioners herein to re-determine the compensation awarded in L.A. Case No.04/V/73 in terms of Section 28(A) of the Land Acquisition Act'1894 on the basis of compensation awarded by order dated 10.10.2017 passed in L.A.R. Case No.59/1981 by the Sub-Judge I-cum-Spl. Land Acquisition Judge, Madhepura which arose out of the same Notification issued u/s 4 of the 1894 Act since the Respondent No. 1 forbore from exercising



the power conferred upon him u/s 28A of the 1894 Act and instead forwarded the file to the Presiding Officer, Land Acquisition, Rehabilitation and Resettlement Authority, Saharsa.

3. At the outset, learned counsel for the petitioner submits that the petitioner would be filing an application before the Collector, Madhepura (respondent no.1).

4. In view of the nature of prayer made by learned counsel for the petitioner, let the petitioner file such application before respondent no.1 within a period of six weeks from today.

5. In the event, such application is filed, respondent no.1 shall look into the matter and dispose of the same by a reasoned and speaking order in accordance with law after hearing the parties, preferably within a period of six months from the date of receipt of the application.

6. Writ petition stands disposed of with the aforesaid directions.

(Prabhat Kumar Singh, J)

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