

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16611 of 2024

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Lal Mohan Singh Son of Late Ram Gahan Singh Resident of Village- Sakari,
P.S.- Kudra, District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Kaimur at Bhabhua
2. The Collector, Kaimur at Bhabhua.
3. District Land Acquisition Officer, Kaimur at Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek
For the Respondent/s : Mr.Government Advocate 05

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 29-10-2024

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

(i) For issuance of an appropriate writ/writs/order/orders /direction/directions commanding the respondents to direct the respondent No- 3 District Land Acquisition Officer, Kaimur at Bhabhua to pay the enhanced compensation to the petitioner for acquisition of his land situated at Mouza- Sakari, Thana No- 659, Old Khata No- 12, Khesra No- 109, Area-9½ decimals on the basis of amended award dated 03/11/2015 prepared by the District Land Acquisition Officer, Kaimur at Bhabhua arising out of Land Acquisition Case No-19 of 2015-16.

(ii) For issuance of any appropriate writ/writs/order/orders/ direction/directions to which the petitioner is entitled in accordance with law.



2. Learned counsel for the petitioner submits that respondent no. 3 ordered to pay compensation to the petitioner for acquisition of his land situated at Mouza- Sakari, Thana No- 659, Old Khata No- 12, Khesra No- 109, Area-9½ decimals and petitioner has received compensation amount of Rs. 2,74,189/- as mentioned in Annexure-P/2. He further submits that later on, CWJC No. 896 of 2013 was filed for enhancement of award on the basis that acquired land in question was residential land and not agricultural land and the said writ petition was disposed of with a direction to appear before the Arbitrator cum Commissioner, Patna. Thereafter, the Arbitrator cum Commissioner, Patna made enquiry through District Enquiry Committee who submitted report which was accepted treating the land in question as residential plot. Learned counsel for the petitioner submits that petitioner has limited grievance that he made representation before the District Land Acquisition Officer, Kaimur, Bhabua for payment of enhanced compensation amount (Annexure-P/5 series) but no order has been passed by the concerned authority as yet and hence, the petitioner has approached this Court for issuance of direction to the concerned respondent for payment of enhanced compensation amount.



3. Learned counsel for the State submits that petitioner has belatedly sought for payment of enhanced compensation amount. Learned counsel further submits that petitioner may file fresh representation before the concerned authority alongwith supporting documents for getting enhanced amount of compensation and the same shall be considered in accordance with law.

4. Considering the facts and circumstances of the case, the present writ petition stands disposed of with liberty to petitioner to raise his grievance before the appropriate authority within a period of five weeks from the date of receipt of this order. If petitioner raises his grievance before the concerned authority, the concerned authority is directed to pass appropriate order on the representation of the petitioner within a period of six months from the date of its filing in accordance with law.

(Alok Kumar Pandey, J)

shahzad/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	30.10.2024.
Transmission Date	N.A.

