

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17724 of 2024

Chandra Bhushan Prasad Son of Late Raj Kumar Sharma, resident of village - Kespa, P.S. Alipur, District Gaya (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Land and Revenue Department, Government of Bihar, Patna.
3. The District Magistrate, Gaya.
4. The District Land Acquisition Officer, Gaya.
5. The Circle Officer, Manpur, District- Gaya.
6. The Managing Director, National Highway Authority of India, New Delhi.
7. The Treasury Officer, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bhubneshwar Mahto, Advocate
For the Respondent/s : Mr. SC-13

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-11-2024 1. Heard learned counsel for the petitioner and learned AC to SC-13 of the State.

2. Learned counsel for the petitioner submits that the land pertaining to old Khata No. 03, old Plot No. 42, new Plot No. 40 and 71 at Mauza Salempur, Thana No. 319, Area 4.68 decimal is the purchased land of the petitioner. It is submitted that petitioner after purchasing the land got it mutated in his name and, accordingly, Jamabandi No. 167 was created as would manifest from Annexure-P/2 to the writ application, thereafter rent receipts were issued and the Circle Officer even issued land possession certificate.



3. It is further submitted that the raiyati land of the petitioner was acquired in the year 2022 for construction of NH 82. It is next submitted that petitioner till date has not been given compensation for the aforesaid area of land acquired as recorded hereinabove.

4. It is submitted that petitioner represented before the District Land Acquisition Officer, Gaya vide his representation dated 22.05.2023 (Annexure-5) seeking compensation of the acquired land on the ground that he is the real owner of the land but then the District Land Acquisition Officer, Gaya sat on his representation, accordingly, the petitioner again sent a representation dated 01.01.2024 to the District Magistrate, District Land Acquisition Officer and the Managing Director, National Highway Authority of India by registered post Annexure-P/6.

5. Learned counsel appearing on behalf of the State submits that the writ application be disposed of with a direction to the District Magistrate, Gaya for disposing of the representation of the petitioner dated 01.01.2024 in accordance with law. Learned counsel further submits that since the representation was sent by a registered post it may be a possibility that the same may not have been received in the



office of the Collector as such the petitioner be directed to file a fresh representation before the Collector, Gaya for redressal of his grievance as raised in the instant writ application.

6. After hearing the learned counsel for the parties, the writ application is disposed of with a direction to the petitioner to file a fresh representation before the District Magistrate, Gaya with all the relevant documents for seeking redressal of his grievance as raised in the instant writ application.

7. It is made clear that if any representation is filed by the petitioner on or before 20.12.2024, the District Magistrate, Gaya shall consider and dispose of the representation within a period of two months thereafter.

8. It is made clear that if it is found that petitioner's land has been acquired for the aforesaid purpose without giving him due compensation in that event, the due compensation of the petitioner shall be made within a period of four months thereafter in accordance with law.

(Satyavrat Verma, J)

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