

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18321 of 2023

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1. Ganauri Yadav Son of Late Naujadik Yadav Resident of village- Kurkuri, Pinjrawan, P.S.- Kurtha, District- Arwal.
 2. Suman Kumar, Son of Late Om Prakash Ranjan Resident of village- Kurkuri, Pinjrawan, P.S.- Kurtha, District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Land Reforms and Revenue Department, Patna.
2. The Principal Secretary, Minor Irrigation Department, Bihar, Patna.
3. The District Magistrate, Arwal.
4. The District Land Acquisition Officer, Arwal.
5. The Chief Engineer, Irrigation Srijan, Aurangabad.
6. The Superintending Engineer, Sone High Level, Canal Circle, Aurangabad.
7. The Executive Engineer, Punpun Baraj, Division-2, Goh, Aurangabad.
8. The Circle Officer, Kurtha, Arwal.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Respondent/s	:	Mr. Kameshwar Prasad Gupta (GP 10) Mr. Satya Vrat, AC to GP-10

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-03-2024 Heard the parties.

2. The present petition has been preferred for the following reliefs:

(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 01.04.2003 and suitable compensation be paid @ Rs. 9700/- per decimal minimum to the petitioners for their



land, treating same as Dhanhar and/or Rs. 32,000/- per decimal for treating the land as residential, is the rate prevalent in the area, which is likely to be acquired/ proposed for acquirement by the respondents for canal known as Kinjar Vitarani Nirman wherein 20 Acre total land has to be acquired in Thana No. 109, village- Kurkuri in which land of the petitioners are also included situated in Khata No. 28, Khesra No. 492, Area 0.22 Acre, Khata No. 74 Khesra No. 333 Area- 0.14 Acre, Khata No. 27 Khesra No. 340 Area 0.06 Acre and Khata No. 28 Khesra No. 487 Area-0.30 Acre, Khata No. 26, Khesra No. 259, Area-0.28 Acre;

(ii) for issuance of an appropriate writ/s, order/s, Direction/s to the respondents for payment of compensation to the petitioners 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 compensation paid to the farmers of adjoining village, Sohna and Nagla wherein four time compensation has been paid as per the M.V.R. prevalent w.e.f. 01.04.2013 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. 258 268/2007-08 though in the notice under section 37(2) issued to the petitioner no. 1 in exercise of power given under section 23 and 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 but the amount of compensation has been calculated as per the Land Acquisition Act, 1894.

3. Mr. Sanjay Kumar, learned counsel for the petitioners brought this case by way of mentioning to inform the Court that in the light of the **CWJC No. 2648 of 2023 (Ram Ashish Singh Vs. The State of Bihar & Ors)** disposed of on 12.07.2023, he may be permitted to move before the Land Acquisition, Rehabilitation and Resettlement Authority (for short, the LAARA).

4. In view of the limited prayer made by the petitioners, the writ petition stands disposed of.

(Rajiv Roy, J)

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