

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17811 of 2024

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Tanjimul Islam Son of Motiur Rahman, resident of Village-Khaguradih, P.O.-
Khanguradih, P.S.-Katra, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, New Secretariat, District-Patna.
2. The District Magistrate, Muzaffarpur.
3. The District Land Acquisition Officer, Muzaffarpur.
4. The Circle Officer, Katra, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Adesh Raj
For the Respondent/s : AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-11-2024 1. Heard learned counsel for the petitioner and learned
AC to AAG-12.

2. The learned counsel for the petitioner submits that
land pertaining to Khata No. 2016, Plot no. 2644, Area 0.31
decimals, Mauza-Lakhimpur, Sheet No. 3, Thana-Katra,
District-Muzaffarpur, is the *raiya* land of the petitioner.

3. It is next submitted that the aforesaid land was
purchased by the father of the petitioner from Abdul Hakim,
vide registered deed dated 20-3-1980 (Annexure-P/2). It is
submitted that after purchasing the land in question, the father
of the petitioner, namely, Motiur Rahman, got the land mutated
in his name and accordingly Jamabandi No. 2489 was created in
his name and thereafter rent receipts were issued. It is next
submitted that the aforesaid land of the petitioner was acquired



on 8-1-2014 in view of Memo No. 1769 dated 8-1-2014 issued by the Respondent No. 3. It is submitted that the land was acquired for construction of embankment on the right side along the river, Baghmati. It is submitted that though the land was acquired, but then petitioner till date has not been given compensation and he is running from pillar to post. It is next submitted that petitioner had represented before the Land Acquisition Officer, Muzaffarpur, raising his grievance that despite his land being acquired, he has not been compensated, but then no action was taken, thereafter the petitioner appeared before the Hon'ble Chief Minister, in his Janata Darbar, raising his grievance based on which his case was referred to the District Land Acquisition Officer.

4. It is submitted that from perusal of Annexure P/4, i.e., Memo No. 366, dated 6-5-2015, it would manifest that the Land Acquisition Officer, Muzaffarpur has recorded that 0.31 decimal of the land of the petitioner has been utilised for the aforesaid purpose. The learned counsel submits that though 0.31 decimal of land of the petitioner has been acquired for the aforesaid purpose, but still the petitioner has not been given compensation in accordance with law.

5. The learned counsel appearing on behalf of the



State submits that the writ application can be disposed of with a direction to the District Land Acquisition Officer to verify the genuineness of Memo No. 366, dated 6-5-2015 issued by the District Land Acquisition Officer, Muzaffarpur, and in the event if it is found that the said document is a genuine document, in that event, compensation in accordance with law, be paid to the petitioner.

6. After hearing the learned counsel for the parties, the writ application is disposed with a direction to the District Land Acquisition Officer, Muzaffarpur to verify the genuineness of Memo No. 366, dated 6-5-2015, issued under his signature, and in the event if it is found that the memo is genuine, in that event, the petitioner shall be paid compensation with regard to acquisition of 0.31 decimal of land utilised in construction of the embankment on the right side of River Baghmata within a period of four months from the date of receipt/production of a copy of the order.

7. Accordingly, the writ application is disposed of.

(Satyavrat Verma, J)

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