

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18426 of 2024

Manoranjan Prasad Singh @ Pawan Singh, Son of Janardan Prasad Singh,
Resident of Village- Mour, P.S. Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The Union of India through the Ministry of Railways, New Delhi.
2. The General Manager, East Central Railways, Hajipur, District - Vaishali.
3. The Divisional Railway Manager, Danapur.
4. The Collector cum District Magistrate, Sheikhpura.
5. The Collector cum District Magistrate, Sheikhpura.
6. The Additional District Magistrate cum the District Land Acquisition Officer, Sheikhpura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Himanshu Kumar Akela, Advocate Mr. Mayank Rukhaiyar, Advocate
For the U.O.I.	:	Mr. Rakesh Kumar, Advocate
For the State	:	Mr. Sarvesh Kumar, G.P.- 24

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 05-12-2024 The petitioner has filed this writ petition for the
following reliefs:

(i). For issuance of order / orders, Writ/Writs setting aside the part of Memo No. 454 dated 14/10/2024 (Annexure P/5) whereby and whereunder the Respondent No. 6 has directed the concerned Bank to refund the excess compensation paid to the Petitioner or put a hold on withdrawal of the same, And

(ii). For issuance of order / orders, Writ / Writs setting aside Memo No. 470 dated 15/10/2024 (Annexure P/6) whereby and whereunder the Respondent No. 6 has directed for recovery of an amount of ₹24,31,477.00/- (Rupees Twenty-Four Lacs Thirty-One Thousand Four Hundred and Seventy-Seven Only) out of the total compensation



paid to the Petitioner for acquisition of his Land arising out of L.A. Case No. 09/03 04 And

(iii). For issuance of an appropriate order granting interim no coercive protection from civil and or criminal proceedings arising out of Memo No. 470 dated 15/10/2024 (Annexure P/6) during the pendency of the Writ Application, And

(iv). For issuance of an Appropriate Writ, Preferably a Writ in the nature of Writ of Mandamus, Commanding the Respondents to forthwith recalculate the compensation amount payable to the petitioner.

2. Learned counsel for the petitioner submits that the Additional District Magistrate-cum-the District Land Acquisition Officer, Sheikhpura (respondent no. 6) has directed the petitioner to refund of an amount of Rs. 24,31,477/- (Rupees Twenty Four Lacs, Thirty One Thousand, Four Hundred and Seventy Seven only) vide Memo No. 470 dated 15.10.2024 and in this regard he seeks one week time for filing detailed representation to the concerned Authority and prayed to dispose of this writ petition with direction to expeditious disposal of proposed representation and protection from the further coercive steps till its disposal.

3. Learned counsel for the State and Union of India have no objection to this prayer of the petitioner.

4. Learned counsel for the State submits that the



concerned Authority shall not take any further coercive steps against the petitioner till the disposal of the proposed representation to be filed by the petitioner.

5. On filing of the said representation within one week from today, the concerned Authority shall pass an appropriate order and dispose of the said representation in accordance with law, expeditiously, preferably within a period of three months.

6. In view of the submission of learned counsel for the parties, this writ petition is, accordingly, disposed of with liberty to the petitioner, as prayed for.

(Sunil Dutta Mishra, J)

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