

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13926 of 2018

-
-
1. Md. Kasim Son of Md. Imam Ali Resident of Village- Fulwari Nankar, Anchal- Terhagachh, P.S.- Terhagachh, District- Kishanganj.
 2. Md. Nasimuddin Son of Md. Imam Ali Resident of Village- Fulwari Nankar, Anchal- Terhagachh, P.S.- Terhagachh, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Land Revenue Department, Govt. of Bihar, Patna.
2. The Collector, Kishanganj.
3. The District Land Acquisition Officer, Kishanganj.
4. The Executive Engineer, Building Construction Department, Building Division, Kishanganj.
5. The Anchal Adhikari, Terhagachh.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar, Advocate
For the Respondent/s : Mr. Md. Khurshid Alam

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 19-11-2024

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

That this is an application on behalf of petitioners for issuance of a writ of mandamus directing the respondents to pay the compensation of the Land and the Building constructed thereon pertaining to Khata no. 36 Plot No. 297 and 299 under thana no. 69 Mauja Phulwari Nankar, Anchal Terhagachh, Area measuring 833.43 sft. and 520.12 sft respectively minimum @Rs. 1400/- per sft. on account of it's acquisition as the said land and the Building have been acquired by the government for construction of the road parallel to Indo-Nepal Border and petitioners further pray for issuance of any other writ/writs,



order/orders, direction/directions which the Hon'ble court may deem fit and proper.

2. Learned counsel for the petitioners has submitted that the petitioners purchased land appertaining to Khata No.36, Plot No.297 and 299 under thana No. 69 Mauja Phulwari Nankar, Acnhal Terhagachh, Area measuring 833.43 square feet and 520.12 square feet respectively by way of registered sale deed, and the land in question was acquired by the Govt. for Construction of the road parallel to Indo-Nepal Border. Learned counsel for the petitioners has submitted that though they have admitted that they have received the amount of Rs.22,11,570/- in favour of Md. Kasim and he has also received the amount of Rs.22,473/- in favour of Md. Nassimuddin, however, the compensation amount is not adequate, . The counsel of petitioners has represented through Annexure-8, before the Land Acquisition Officer, Kishanganj, where they have submitted their representation that they are entitled to get compensation at least at the rate of Rs.1400/- per square feet but they have not been given compensation at the rate of Rs.1400/- per square feet.

3. Learned counsel on behalf of the State has submitted that though the petitioners claim is that they are required to get compensation at the rate of Rs.1400/- per square feet but they have already been given the compensation amount at the rate of



Rs.1750/- per square feet as mentioned in para-14 of the counter affidavit, in that way, the petitioners have no grievance remained as the payment has already been made which has been given compensation amount more than what is being sought by the petitioners. Learned counsel submits that petitioners have submitted that they expect Rs.1400/- per square feet + Rs.1400/- solatium, total Rs.2800/- per square feet but in the representation the said fact has not been highlighted.

4. Considering all the aspects of the case, the present writ petition stands disposed of with a direction that the petitioners may represent their grievances before competent authority by mentioning all the fact which has been submitted before this Court within four weeks from the date of order. If they represent their grievance within four weeks from the date of this order, concerned authority is hereby directed to pass order expeditiously, as per law.

(Alok Kumar Pandey, J)

Amandeep/-

AFR/NAFR	NA
CAV DATE	NA
Uploading Date	20.11.2024.
Transmission Date	NA

