

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1657 of 2024

1. Arun Kumar Mehta Son of Late Ram Krishna Prasad, Residing at Mohallah-Jaiprakash Nagar, Jakkanpr, P.O.- G.P.O., P.S.- Jakkanpur, District- Patna, at present residing at Village- Bhaisasur (Ranchi Road), Bihar Sharif, P.S.- Bihar Sharif, District- Nalanda.
2. Mithilesh Kumar, Son of Late Ishwar Mahto, Residing at Mohallah-Jaiprakash Nagar, Jakkanpr, P.O.- G.P.O., P.S.- Jakkanpur, District- Patna, at present residing at Dwarikapuri, Road no. 02, Kamre Ashram Chowk, Ratu Road, P.O.- Kamre, P.S.- Ratu, District- Ranchi (Jharkhand).

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Road Transport and Highway, New Delhi.
2. The State of Bihar, through the Principal Secretary, Revenue and Land Reforms, Department, Bihar, Patna.
3. The National Highway Authority of India, through its Project Director, Project Implementation Unit, Vivekanand Marg, Boring Road, Patna.
4. The Project Director, Project Implementation Unit, N H A I, Vivekanand Marg, Boring Road, Patna.
5. The District Magistrate, Patna.
6. The Competent Authority cum District Land Acquisition Officer, Patna.
7. The Circle Officer, Phulwari Sharif, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Lal Mani Sharma, Advocate
For the Respondent/s : Mr. Government Pleader (18)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-05-2024 Heard learned counsel for the petitioners and the State.

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

(i) for issuance of an appropriate writ. order or direction directing and



commanding the respondents to pay the petitioners immediately, without any further delay, the amount of compensation along with 100% Solatium and upto date interest as provided in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (here- in after to be referred as "the Act") for their lands treating them as residential which have/has been acquired for construction of Patna Gaya Dovi N. H. 83 Four Lane Road;

(ii) for issuance of an appropriate writ directing and commanding the respondents to pay the petitioners interest as provided under the provisions of the aforesaid Act, 2013 as well as the penal interest for the period the amount compensation for the land of the petitioners, have not been paid or is not paid to the petitioners.

3. Learned counsel for the petitioners submit that though pursuant to the notice, they submitted their documents alongwith the petition on 06.04.2023 (Annexure-6 to the petition) and the notice no. 1049 dated 05.10.2023 (Annexure-7 to the petition) also shows their name, the payment has still eluded them.

4. Learned State Counsel pointed out that vide notice



no. 1049 dated 05.10.2023, the District Land Acquisition Officer, Patna, respondent no. 6 has issued notice and the petitioners are required to submit all the relevant documents alongwith their petition.

5. Learned counsel for the petitioners submit that they will be immediately taking up steps by filing a fresh petition alongwith relevant documents.

6. The respondent no. 6, the District Land Acquisition Officer, Patna shall look into his own notice no. 1049 dated 05.10.2023 and if the petitioners submit their separate petition alongwith relevant document within four weeks from today to take the same to its logical conclusion within a period of four months thereafter.

7. It goes without saying that if they are found entitled to the compensation, the same shall be also extended to them within two months thereafter.

8. The writ petition stands disposed of.

(Rajiv Roy, J)

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