

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17197 of 2018

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Binod Kumar Son of late Hari Prasad Resident of Mohalla- Mainpura,
Danapur, P.S. Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector Cum District Magistrate, Patna.
3. The District Land Acquisition Officer, Patna.
4. The Additional District Land Acquisition Officer, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Adv.
For the Respondent/s	:	Mr. Raghwanand, GA11
		Mr. Prabhat Kumar, AC to GA11

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-02-2025 Heard Learned Counsel for the petitioner and

Learned Counsel for the State.

2. Learned Counsel for the petitioner submits that the present writ petition has been filed for directing the respondent to evaluate the value of the land of the petitioner described herein below acquired for the purpose of construction of Bihta Sarmera State Highway No.78.

3. Counsel for the petitioner further submits that he has been granted less value and, therefore he has filed the representation that higher value may be given to him.

4. Counsel for the State submits that he has filed a counter-affidavit and the said land of the petitioner has been



acquired for the purpose of construction of State Highway No.78 and by virtue of L.A. Case No.112/2011-12, notification and declaration has been made and subsequently, the price has been calculated with interest and the said amount has been made according to the said calculation.

5. Counsel for the State submits that the price demanded as per market value treating the petitioner's land as residential in nature. Payment has been made as per agriculture after due verification.

6. After hearing the parties, it transpires to this Court that the land has been acquired in the light of New Land Acquisition Policy, 2007 under the Land Acquisition Act, 1894 and under the old Land Acquisition Act, the only remedy available to the petitioner is to file an application before the District Magistrate of the concerned district, so that the District Magistrate may refer this matter under reference before the competent forum under section 18 of the Land Acquisition Act, 1894.

7. In the light of the facts and circumstances, the present writ petition is hereby disposed off directing the petitioner to move before the District Magistrate/Collector under section 18 of the Land Acquisition Act, 1894 (Act 1 of



1894) and the District Magistrate thereafter, refer this matter before the concerned District Court.

8. Delay, if any, in filing the said application, is hereby directed to be condoned.

9. With the aforesaid directions, the present writ application stands disposed off.

(Dr. Anshuman, J.)

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