

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8708 of 2017

1. The Union Of India and Anr
2. The Deputy Chief Engineer Construction, E.C. Railway, Mughalsarai.

... .. Petitioner/s

Versus

1. Deomurat Singh and Anr S/o Late Ram Parvesh Singh resident of village Dharupur, P.S. - Bikramganj, District - Rohtas.
2. The State of Bihar through Collector, Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ram Anurag Singh, CGC Mr. Bindhyachal Rai, Sr. CGC
For the Respondent/s	:	Mr. Birendra Prasad Singh AC to Sc19
For resp. no. 1	:	Mr. Om Prakash Upadhyay, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-04-2025 Heard the parties.

2. The present application has been preferred for the following relief(s):

for issuance of a writ in the nature of a writ of certiorari or any other appropriate writ / order / direction for quashing the order and award dated 23.11.2013 passed by National Lok Adalat, Sasaram in L.A. Case No. 279 of 2013, arising out of Land Acquisition Case No. 01 of 2008, whereby the learned Lok Adalat has directed the Railway to pay the compensation to Respondent no. 1 at the rate of Rs. 32,000.00 per decimal along with solatium @ 30% and interest as mentioned



in the award.

3. As per the writ petition, the matter relates to a piece of land, the details is/are herein below:

*RS Plot No. 140, 174, 143 and 148,
Khata No. 210 having an area of 0.6075 acres.*

4. The respondent no. 1 had objected to the award prepared by the Collector, Rohtas at Sasaram on the quantum of compensation and in that background, the matter was referred to the Reference Court of learned Sub Judge-III, Rohtas at Sasaram. This led to L.A. No. 01 of 2008. It is to be noted that the Collector, Rohtas at Sasaram had fixed the compensation rate at Rs. 10,66,666/- per acre which means the rate was Rs. 10,666.66 per decimal.

5. The learned Sub Judge-III referred the matter to the Lok Adalat numbered as L.A. Case No. 279 of 2013 where on the basis of settlement of the parties, the rate of the land was fixed at Rs. 32,000/- per decimal and it is a stand of the Railways that it will now have to cough up thrice that of the original amount.

6. This order came to be passed on 23.11.2013 and besides the respondent no. 1, the Junior Engineer deputed by the appropriate authority signed on behalf of the Railways in the Lok Adalat proceeding. Four years later, the present writ



petition was filed alleging that the learned Sub Judge-III illegally referred the matter to the Lok Adalat and on the basis of said illegal reference, the Lok Adalat disposed of the claim.

7. The contention of the petitioner is that it will have to make huge payment if the Lok Adalat order is to be implemented. It has further disowned the authority of the Junior Engineer on signing the award alleging that it was not in accordance with the provisions of law as he was not authorized to enter into compromise on behalf of the Railways.

8. The respondent no. 1 has appeared suo motu and according to him, the Lok Adalat took a decision on the basis of compromise arrived at between the parties. The award was prepared in the year 2013. However, as an afterthought and belatedly, after four years, the writ petition. Only because, thrice the amount has to be paid, that cannot be a ground to disown the award and file the petition after four years. As such, the same be dismissed.

9. It is his submission that save and accept one line statement that the Junior Engineer was not authorized to sign the document, there is nothing on record to submit that appropriate steps is/was taken against the Junior Engineer and/or the State Officials were informed/enquired as to how the



Junior Engineer entered into an agreement which led to the preparation of award by the National Lok Adalat. He submits that an order has been passed in the year 2013, four years later, belated writ petition and till date on the ground that the writ petition is pending, no enhance payment has been made.

10. Having heard the parties, in the considered opinion of the Court, it is unfortunate that despite being an important organization, the petitioner, the Railways has chosen to defy the order of the National Lok Adalat. There is nothing on record to show that any step/action has been taken against the Junior Engineer or there is/are any communication between the Railways and/or the State Government nor anything has been brought on record to show that the said Junior Engineer was not authorized to appear into an agreement. Only one line statement that he was not authorized to put in his signature is fit to be neglected.

11. Four years later, the writ petition was filed and even then, there is nothing in the file/record to show that for last eight years, any step was taken by the petitioners for an early hearing of the case. The purpose was only to frustrate the order passed by the National Lok Adalat and on query, learned counsel for the petitioners submit that as the writ petition was



pending, no payment was made.

12. It is high time that the petitioner take steps, abide by the order dated 23/11/2013 passed by the National Lok Adalat in L.A. Case No. 279/2013 on the basis of compromise arrived at by the two signatories, one being the respondent no. 1 and the other, the representative of the Indian Railways. The writ petition has no merit, dismissed.

(Rajiv Roy, J)

Vijay Singh/-

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