

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12435 of 2017

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Md. Ismile Son of Late Md. Kamruddin, Resident of Village- Beni Das Bhuska, P.S.- Mehrama, District- Godda Jharkhand at present residing at Pirpainty Bazar, P.S.- Pirpainty, District- Bhagalpur.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : None.
For the Respondent/s : Mr.Dhurjati Kumar Prasad, GP-15

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-04-2025 No one appears on behalf of the petitioner though the State is present.

2. The present petition has been preferred for the following relief/s:

(i) for issuance of writ in the nature of mandamus commanding and directing the respondents, to pay the compensation amount in terms of Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act, 2013 in lieu of acquisition of his land for the purpose of construction of Pirpainti Thermal Power Project after



deduction of amount already paid as per the Panchat already made in favour of this petitioner because the respondents have paid the compensation amount in new rate to some of the awardees whose lands were also acquired by them along with the land of this petitioner;

(ii) for further issuance of writ in the nature of mandamus commanding and directing the respondents to dispose of the claim of this petitioner made before Respondents on 30.1.2016 in terms of order passed by this Hon'ble Court in C.W.J.C. No. 15676/2015. vide order dated 18.1.2016;

(iii) and/or pass such other order or orders as deem fit and proper in the interest of justice.

3. Learned State Counsel has taken this Court to the Annexure-1 to show that C.W.J.C. No. 15676/2015, the petitioner chose to withdraw the petition on 18.1.2016 with liberty to approach the Forum for surviving his claim. He has further taken this Court to paras-12 and 13 to show that the



amount was paid and accepted by the petitioner and had he being dissatisfied, would have reached the appropriate Forum for enhancement of compensation but the same was not done.

4. Be that as it may, since there is no appearance, the writ petition stands dismissed for non-prosecution.

(Rajiv Roy, J)

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