

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9792 of 2017

1. Surendra Singh S/o late Surat Lal Singh
2. Rita Kumari W/o Sri Ram Ratan Kumar
3. Indu Sinha W/o Sri Vrindra Kumar All are Resident of Village- Rukanpura, P.S. Rupaspur, Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Land Acquisition and Rehabilitation, Government of Bihar, Patna.
3. The Collector Cum District Magistrate, Patna.
4. The District Land Acquisition Officer, Patna.
5. Union of India, through D.R.M. East Central Railways Ministry of Railways, Hajipur.
6. The Chief Engineer, Construction East Central Railways, Hajipur.
7. Deputy Chief Engineer, Construction East Central Railways, DighaGhat, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ajatshatru, Advocate
For the Respondent/s	:	Mr. Raj Kishore Roy-Gp18
For the UOI	:	Mr. Ratnesh Kumar, Sr. CGC
		Mrs. Parul Prasad, CGC
		Mr. Aditya Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-04-2025 Heard Mr. Ajatshatru, learned counsel for the petitioner and the State.

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

*“to issue a writ in the nature of
MANDAMUS/CERTIORARI or any other writ or
direction commanding the respondents to pay the*



compensation of acquired land following the provisions contained in section 30, 40, 69, 80 & 96 of Right to Fair Compensation and Transparency In Land Acquisition, Rehabilitation and Resettlement Act, 2013 [Here in after mentioned as "The Act"], Further the petitioners prays for direction to respondents to return / refund the total amount to the tune of Rs. 10382555/- deducted as Income Tax contrary to the provision contained in section 96 of "The Act" as well as letter/ circular no. 36/2016 dated 25.10.2016 [Ann-10]. Further the petitioners prays for direction to pay the amount @12% per annum as contained in section 30 (3) of the Act from the date of possession of the land i.e. 23.5.2003 [Ann-1], Further prayer for direction to respondents to enumerate and pay the interest u/s 80 of the Act from the date 23.5.2003 [Ann-1] on which, the respondents have took the possession of the acquired land, Further prayer to pay the additional compensation of 75% as per section 40 (5) of the Act because the land has been acquired omitting the provision of section 9 of the



Act, and be further pleased to issue any further direction/ directions to the respondents in view of the facts and circumstances of this case.”

3. The Railways have filed the counter-affidavit and paragraph-4 (ii) shows that the amount demanded by the State has been transferred.

4. In that background, it would be appropriate that the respondent no. 4, the District Land Acquisition Officer, Patna decides the fate of the petitioners.

5. Learned counsel for the petitioners submit that they shall be preferring an appropriate petition along with all the supporting documents before the respondent no. 4, the District Land Acquisition Officer, Patna in next four weeks.

6. If the same is preferred within the aforesaid time frame, the respondent no. 4 has to take the matter to its logical conclusion, if still not concluded, in next four months.

7. The present writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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