

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2018 of 2025

-
1. Sri Sikandar Kumar Bhaskar @ Sikandar Kumar Sah Son of Ram Swaroop Sah, Resident of Kurmi Tola, Dhramshala ke pas, Jamalpur, Ward No.-04, P.S. Gogari, District Khagaria.
 2. Sunil Kumar Sah, Son of Ram Swaroop Sah, Resident of Kurmi Tola, Dhramshal ke pas, Jamalpur, Ward No.-4, P.S. Gogari, District Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, New Secretariat, Patna.
2. The Chairman, Land Acquisition Rehabilitation Authority (LARA) Court, Munger.
3. The Director, Department of Revenue and Land Reforms, Government of Bihar, New Secretariat, Patna.
4. The Collector, Khagaria.
5. The District Land Acquisition Officer, Khagaria.
6. The Land Reforms Deputy Collector, Gogari, P.S. Gogari, District-Khagaria.
7. The Circle Officer, Gogari, P.S. Gogari, District-Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dr. Anand Kumar, Adv. Vijeta Kumari, Adv.
For the Respondent/s	:	Mr.Government Pleader (14)

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 13-02-2025 Heard.

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

(i) For direction specially to Respondent No. 2 i.e. the learned Court Land Acquisition Rehabilitation and Re-settlement Authority (Herein referred as the learned LARA) to decide the LARA Case No. 09/2023 pending before him in connection with the acquired land of the petitioners promulgated under Act 30/2013 Section-11(i)



in respect of Acquisition of land of Mauza Chak-Mushkipur; Thana No. 309/2, Area 6 acre of various Khatas and Khesra for construction of building for Sub Divisional Court and for residential house of Judicial Officers.

(ii). For direction to learned LARA Court to fix the compensation against requisition of land of the petitioners, after considering the nature of the land as residential, under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 under Article-37(2) as per rate mentioned in MVR of 2025 because till date the petitioners have not received the Award amount.

(iii) Further for direction to learned LARA Court to fix the compensation as per nature of land intimated by the DLAO in his letter No. 312 dated 26.05.2023.

(iv) For direction to the learned LARA Court to provide same nature of residential land in the same area Mauza-Chak Mushkipur, available in the Eastern side or in the same locality nearby because it is only means of livelihood for the petitioners.

(v) Further for direction to learned LARA court to grant stay of any construction upon the said acquired land and not to disturb the nature of the land of the petitioners and its possession till disposal of LARA Case No. 09/2023, because the local authorities are forcibly trying to dispossess the petitioners from their respective Raiyati land.

(vi) For issuance of writ in the nature of mandamus directing the concerned respondent authorities to pay compensation for the land of the petitioners under residential category, as acquired by them, as per present MVR prevailing as per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 read with Bihar Right to Fair



Compensation and Transparency in Land Rehabilitation and Resettlement Rules, 2014 and further granted amended rate of interest along with litigation cost.

(vii) For direction to Respondent Authorities specially to the learned LARA Court to exclude 10 Kattha land of the petitioner for the personal residence and use of the petitioner out of the total acquired land 25 Katthas each of the petitioners.

(viii) To allow others suitable relief(s) in facts and circumstances of the case.

3. Learned counsel for the petitioners has submitted that he made representation before the Collector, regarding inadequate compensation of the land acquired. The Collector referred the matter to the Land Acquisition Rehabilitation and Resettlement Authority i.e. LARA in LARA Case No. 09 of 2023 is pending before the competent authority. Learned counsel makes prayer for a direction for early disposal of his representation.

4. The Land Acquisition Rehabilitation and Resettlement Authority is directed to dispose of the case of the petitioner as soon as possible, preferably within a period of six months.

(Nawneet Kumar Pandey, J)

A.K.V.//-

U			
---	--	--	--

