

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14015 of 2017

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Smt. Jyotsna Devi wife of Nathan Prasad Yadav Resident of Village - Madhuban, Post Office - Khamhauti, Police Station - Bakhtiyarpur, District - Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition, Govt. of Bihar, Patna.
4. The Collector, Saharsa.
5. The District Land Acquisition Officer, Saharsa.
6. The Circle Officer, Simri Bakhtiyarpur Block, District - Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Syed Masleh-Uddin Ashraf, Sr. Adv. Mrs. Rana Hasan, Adv. Mrs. Homa Yunus, Adv.
For the Respondent/s	:	Mrs. Nutan Sahay- Aag12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-04-2025 Heard Mr. S.M. Ashraf, learned Senior Counsel

for the petitioner(s) duly assisted by Mrs. Homa Yunus and Mrs. Nutan Sahay representing the State.

2. The present application has been filed:

for the issuance of a writ in the nature of mandamus to pay compensation to the petitioners in accordance with the rate to be determined under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter be



called, 'the new Act') and not in terms of the Land Acquisition Act, 1894 (hereinafter to be called, 'the old Act').

3. The State Counsel has taken this Court to the counter affidavit to show that the petitioner has received 100 percent compensation amount and as such, the matter cannot be reopened.

4. The counter affidavit was filed earlier and there was no reply to it.

5. Mr. Ashraf, learned Senior Counsel submits that he may be allowed to approach the competent Civil Court as the stand of the petitioner(s) is/are that they have not been suitably compensated.

6. Said liberty is always there to the petitioner(s). If they approach the Competent Civil Court, the Court concerned shall take into account the fact that the writ petition was pending since the year 2017 while dealing with the limitation petition.

7. The writ petition stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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