

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14568 of 2017

=====

Kumar Birendra Sinha Son of Late Mangal Prasad, Resident of Village -
Kundi Daruara, P.S. - Nursarai, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Director, Land Acquisition and Rehabilitation, Government of Bihar, Patna.
3. The Collector cum District Magistrate, Patna.
4. The District Land Acquisition Officer, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ajatshatru
		Mr. Dilip Kumar Shah
For the Respondent/s	:	Mr.Raj Kishore Roy -Gp18

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 02-09-2025 Heard the parties.

2. The present 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 24 to 30, 40,
69, 80 & 96 of Right to Fair Compensation and
Transparency In Land Acquisition, Rehabilitation and
Resettlement Act, 30 of 2013 [Hereinafter mentioned as
"The Act"] of Award no. 38 (Ja) of L.A. case no. 4/2009-10
[Ann-2], Further the Petitioner prays for direction to
respondents to enumerate the market value of land as on the
date of implementation of "the Act" i.e. 1.1.2014 as
mentioned in The Act as well as under letter dated*



26.10.2015 & 4.12.2015 [Ann-5 & 6], Further prayer to pay the additional compensation of 75% as per section 40 (5) of the Act as well as letter dated 7.12.2016 [Ann-8] because the land has been acquired under emergent provisions, Further the Petitioner prays for direction to pay the amount @12% per annum as contained in section 30 (3) of the Act, Further prayer for direction to respondents to pay the interest u/s 80 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.”

2. The land has been taken by the State for the construction of bus stand at Pahari, Patna and the grievance is that payment has not been made as per the market value and/or according to the Act.

3. The counter affidavit of the Respondents No. 3 and 4 has come justifying the award.

4. This Court is of the opinion that an award has been prepared, payment has been made. If the petitioner is aggrieved, he can approach the Arbitrator-cum-Divisional Commissioner, Patna for the redressal of the grievance.

5. Learned counsel for the petitioner submits that he shall be approaching the concerned Arbitrator in next eight weeks. If such a petition is preferred, the authorities shall see to it that the matter was pending before this Court for eight long years while



deciding the limitation petition and the matter has to be heard on merit.

6. All issues that the petitioner wants to raise shall be taken note of before an order is passed.

7. This writ petition is disposed of.

(Rajiv Roy, J)

Saif/-

U			
---	--	--	--

