

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14213 of 2016

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Lala Mistri son of Late Deosharan resident of village - Shekhwara, P.S.
Magadh University, District - Gaya.

... .. Petitioner/s

Versus

1. The Union Of India
2. The Principal Secretary, Department of Revenue and Land Reforms,
Government of Bihar, Patna.
3. The District Magistrate-cum-Collector, Gaya.
4. The District Land Acquisition Officer, Gaya.
5. The Sub-Divisional Officer, Gaya.
6. Munawa Devi wife of Late Dukhan Yadav resident of village - Orwan, P.S. -
Barachatti, District - Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mrs. Nutan Sahay, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-07-2025 No one appears on behalf of the petitioner though

Mrs. Nutan Sahay, learned AC to AAG-12 is present.

2. The present petition has been preferred for the

grant of following relief(s):

*“(i) For issuance of a writ in the
nature of Mandamus directing the respondents to
pay the compensation under Land Acquisition
Act, 1894 to the petitioner at present market rate
as the land of the petitioner appertaining to
Khata No. 103 Plot No. 18 measuring an area
0.123 was acquired by the respondents for
widening of road of N.H.83 as contained in
Annexure-4 to this writ application.*



(ii) For issuance of a writ in the nature of Mandamus directing the respondents to recover the compensation from the respondent no.6 which has been received from the respondents in place of the petitioner, if any, as the respondent no.6 was not entitled for the same.

(iii) For issuance of such other writ(s), order(s), direction(s) as your Lordships may deem fit and proper.”

3. Learned State counsel has taken this Court to paragraph no.9 of the counter affidavit to show cause that after the enquiry, the respondent came to the conclusion that he land of the petitioner has not been acquired.

4. The counter affidavit was served upon Mr. Vinay Mistry on 13.10.2017 and there is no rebuttal to it.

5. However, since learned counsel for the petitioner chose not to appear either in the forenoon or in the afternoon, the writ petition stands dismissed for non-prosecution.

(Rajiv Roy, J)

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