

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14280 of 2017

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Ganesh Prasad Jaiswal Son of Late Chamru Bhagat Resident of Village-
Bharat Khand Dyodhi P.S. Parbatta, District Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Revenue and Land Reforms Department Land
Acquisition Directorate, Bihar,
3. The Director, Land Acquisition, Bihar, patna.
4. The Chief Engineer, Bhagalpur
5. The Collector, Khagaria.
6. The District Land Acquisition Officer, Khagaria.
7. The Special Land Acquisition Officer, Khagaria.
8. The Executive Engineer, Water Wage Division, Jal Path Pramandal,
Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Respondent/s : Mr. Manoj Kumar Sinha, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-04-2025 Heard the parties.

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

*“I) For that the concerned respondents
may be directed to pay the compensation amount of
acquired land of the petitioner in 1962 through
Land Acquisition Case No. 31/1962-63.*

*II) For that the compensation amount of
the acquired land of the petitioner may be paid to*



the petitioner at the present rate with interest related to Mouza-Saurh, Thana No. 347, Khesra No. 3992, 3992, Rakwa-0.22 acre + 0.5 acre = 0.27 acres.

III) For that any other relief/reliefs may also be provided to the petitioner if he deserves the same.”

3. The matter relates to 1962-63 Acquisition and second/third generation are now before this Court claiming that the compensation amount is still awaited.

4. A counter-affidavit of the respondent no. 8, the Executive Engineer Water Wage Division, Khagaria is on record wherein it has been stated that fresh process is being carried out as per the new Land Acquisition Act 2013.

5. Learned counsel for the petitioner has taken this Court to an order of Arjun Choudhary & Ors. Vs the State of Bihar and Ors. (CWJC No. 12977 of 2015) disposed of on 25.09.2023 by which considering that it is an old matter and as such, the Coordinate Bench directed them to approach the District Land Acquisition Officer, Khagaria who shall take a decision.

6. He submits that it will suffice if he is also allowed



the same relief.

7. Learned State counsel in view of the counter-affidavit that is on record has no objection to it.

8. In that background, the writ petition stands disposed of allowing the petitioner to approach the respondent no. 6, the District Land Acquisition Officer, Khagaria within four weeks from today. If such petition is filed, the same shall be taken to its logical conclusion after hearing the parties in next six months.

9. Needless to say that if a positive order comes in favour of the petitioner, he shall be entitled to the benefits only after the State ascertains to the fact that he is the sole heir of the land in question.

(Rajiv Roy, J)

Adnan/-

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