

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18442 of 2017

=====

Ram Janam Singh Son of Late Ram Briksh Singh, Resident of M.I.G. 149,
Saheed Bhagat Singh Colony Mustafabad, P.S.- Rampur, District- Gaya,
Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner, Magadh Division, Gaya, Bihar.
3. The District Magistrate, Gaya, Bihar.
4. The District Land Acquisition Officer, Gaya, Bihar.
5. The District Sub-Registrar, Gaya, Bihar.
6. The Director General, Border Security Force, Ministry of Home Affairs,
Government of India, New Delhi

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Sr. Advocate
For the Respondent/s	:	Mr. Sajid Salim Khan – SC-25
		Mr. Arif Daula Siddiqui, AC to SC-25
		Mr. Anshay Bahadur Mathur, CGC

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-06-2025 Heard Mr. Surendra Kumar Singh, learned Senior

counsel representing the petitioner and Mr. Sajid Salim Khan,

learned SC-25 duly assisted by Arif Daula Siddiqui, AC to SC-

25.

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

*“i. quashing the proceeding in relation
to acquisition of 47.97 acres of land in which
0.4625 decimals of land of the petitioner situated
in village Iguna, Thana No. 310, Anchal Manpur,*



P.S. Muffasil, District Gaya was acquired pursuant to notification dated 19.8.2013 and 20.08.2013 published in the daily news paper "Prabhat Khabar" dated 31.08.2013 and 1.09.2013 respectively declaring the land in question needed for public purpose, namely, construction of quarters for Boarder Security Force and invoking urgency clause under Setion-17(4) of the Land Acquisition Act., 1894 (Act 1 of 1894) as amended by Land Acquisition (Bihar Amendment) Act, 1960(1) of 1961) hereinafter referred to as "1894 Act" and directing the Government/authorities to make over the vacant possession of the land.

ii. quashing the notice without bearing any date by which the collector, Gaya (Respondent no. 3) offered compensation of a sum of Rs. 10,93,880/- to the petitioner in relation to 0.4625 decimal of land acquired under 1894 Act.

iii. quashing the proceeding of acquisition pursuant to the notification dated 19.08.2013 and declaration dated 01.09.2013 in relation to the land of the petitioner mentioned



above under the provisions of 1894 Act after the repeal of the said Act by virtue of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) (hereinafter referred to as "Act 30 of 2013") which came into operation on the 1st day of January, 2014 as no award under Section-11 of 1894 Act was prepared before the coming into force of Act 30 of 2013.

iv. A direction upon the respondents to initiate a fresh proceeding, if they so desired, in respect of the land of the petitioner in terms of Act 30 of 2013 and to pay compensation in accordance with the said Act and further for a direction that the petitioner, in terms of the provision of Section-24 of Act 30 of 2013, shall be entitled to compensation in accordance with the said Act.

v. Issuance of the writ of mandamus commanding upon the respondents not to change the physical features of the land in question.

vi. Issuance of any other writ/writs, order/orders, /direction/directions as may be



deemed fit in the facts and circumstances of this case.

3. A counter-affidavit has been filed on behalf of the respondent nos. 3 and 4 duly signed by the District Land Acquisition Officer, Gaya and learned State counsel took this Court to paragraph-6 to submit that in compliance of the earlier writ petition which was disposed of by the Patna High Court, the award has been revised.

4. Learned Senior counsel representing the petitioner submits that in that background, the matter be disposed of granting liberty to the petitioner to seek remedy as and when the need arise.

5. Granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

U			
---	--	--	--

