

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18795 of 2017

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1. Shyam Deo Prasad and Anr S/o late Ramchandra Prasad
 2. Malti Devi W/o Sri Anish Choudhary Both are Resident of Village- Jalalpur, P.S.-Rupaspur, Danapur, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Secretary and Commissioner, Land Reforms and Revenue Deptt. Govt. of Bihar, Patna.
3. The Collector, Patna.
4. District land Acquisition Officer, Patna.
5. Union of India, through D.R.M. East Central Railways Ministry of Railways, Hajipur. null null
6. Chief Engineer, Construction East Central Railways, Hajipur.
7. Dy. Chief Engineer, Construction East Central Railways, Danapur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajatshatru, Advocate
For the Respondent/s : Mr. S.C. Yadav - Gp15

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-09-2025 Heard the parties.

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

*issue a writ in the nature of
MANDAMUS/ CERTIORARI or any other
writ or direction commanding the
respondents to enumerate and pay the
compensation of acquired land of the
petitioners bearing plot no. 651, Khata no.
55, measuring area 0.0175 acre & 0.02 acre
respectively of Thana no. 22 of Mauza
Jalalpur, P.S. Rupaspur, Danapur, District -*



Patna, as per the provisions contained in section 24 to 30, 40, 69, 80 & 06 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act. 30 of 2013 [Here in after mentioned as "The Act"] of the Award no 20 A 25 passed in LA case 18/2005-06 along with compensation of their houses, And Further the Petitioner prays for direction to respondents to enumerate and pay the market value of land as on the date of implementation of "the Act le 1.1.2014 as mentioned in The Act as well as under letter dated 26.10.2015 & 4.12.2015 [Ann-9 & 10]. And 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-11] because the land has been acquired under emergent provisions, And 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 enumerate and pay the interest from the date of possession of the plot, 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.

3. The counter affidavit of respondent nos. 3 and 4



duly signed by District Land Acquisition Officer, Patna is on record and the learned State counsel has taken this Court to paragraph 19 to show that the land owners have got the benefit of enhanced compensation under the new Act and they cannot claim the market value.

4. Learned counsel for the petitioner submits that they shall be agitating the matter before the Land Acquisition Rehabilitation and Resettlement Authority but there has been delay in filing the petition as they were agitating before this Court.

5. With the consent of the parties, the writ petition is disposed of, allowing the petitioner to approach the competent authority (so and so) in next four weeks. If such a petition is preferred before the authority, it shall see to it that the matter was pending before this Court since 2017 while dealing with the limitation petition.

6. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

Raj Ranjan/-

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