

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14160 of 2016

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Krishnandan Ray Son of Late Anirudh Ray Resident of Village-
Raghunathpur, P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, Vaishali at Hajipur.
3. The Arbitrator-cum-Additional Collector, Vaishali at Hajipur.
4. The Competent Authority-cum-District Land Acquisition Officer, Vaishali at Hajipur.
5. The Project Director, NH-77, Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the State	:	Mrs. Nutan Sahay-Aag12
For NHAI	:	Dr. Maurya Vijay Chandra, Adv. Mr. Gaurav Govinda, Adv. Ms. Preety Ranjan, Adv.

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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
the State also the NHAI Counsels are present.

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

*(i) For issuance of order, direction
or writ in the nature of Mandamus
commanding the respondents concerned to
make the payment of amount of
compensation for 18 decimal of land
acquired by respondent for the construction
of four land of N.H.77 lying in Circle
Bhagwanpur, Village-Raghunathpur*



Imedpur, Thana no.-318 P.S.-Sarai, District-Vaishali of Khata No.-369, Khesra No.-456, 447 to the petitioner calculated in the light of Land Acquisition Act 2013 by which amount of compensation to be calculated considering the lands as commercial as four times of market value including solatium amount, to which he is entitled in law as per the extant and avowed policy of the Government as declared in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(ii) To hold and declare that the action of, the concerned respondents is not paying the amount of compensation to the petitioner is wholly illegal, arbitrary, malafide, malicious and unauthorized and this should be deprecated by this Hon'ble Court.

(iii) To hold and declare that the action of respondents amount is concerned have badly affect the livelihood of the petitioner in of the compensation paying the tantamounting to the violation of Article 21 of the not Constitution of India.

(iv) Issuance of an order, direction or writ in the nature of mandamus commanding the respondents to pay the amount of penal interest at the rate of 12%



to the petitioners from the date of the acquisition of land i.e. from year 2011 to till the date of payment on account of deliberately delay on the part of respondents concerned in not making the amount of compensation for the reason best known to them.

(v) Issuance of an order, direction or writ in the nature of mandamus commanding the Respondents to pay the amount of penal interest at the rate of 12% to the Petitioners from the date of the acquisition of land i.e. from year 2009 to till the date at payment on account of deliberately delay on the part of Respondents concerned in not making the amount of compensation for the reason best known to them.

(vi) For grant of any other relief or reliefs to which the Petitioner may be found entitled to in the facts and circumstances of this case.

3. A counter affidavit has come on behalf of the respondent nos. 3 to 7 after duly service of the said copy to the learned counsel on 19.04.2018 and paragraph 13 read as follows:

13. Thus the award was prepared before taking possession of the land of the



petitioner to receive the award. The petitioner and his co-shares came to the office and received award of their land being a sum Rs. 444000.00 and a sum of Rs. 444000.00 for their land and bearing R.sp No.- 456 and 447 respectively and received compensation of the building demolished also in addition. Thus petitioner and his co-shares had no grievance against the payments made to the their building and land acquired in the project at the time they when receive the compensation of their land and building.

4. There is no rebuttal to the said averment made in the year 2018.

5. It has been jointly submitted by the learned counsel for the State as also the NHAI counsel that as the compensation amount has been received and the matter has become infructuous, there is no one to represent the petitioner.

6. Be that as it may, the writ petition is dismissed for non-prosecution.

(Rajiv Roy, J)

Vijay Singh/-

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