

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16607 of 2016

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Lalan Prasad Yadav

... .. Petitioner/s

Versus

The State Of Bihar and Ors.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Praveen Prakash, Advocate
For the Respondent/s	:	Mrs. Nutan Sahay, AC to AAG-12
For the UOI	:	Mr. Brajesh Kumar Pandey, Advocate
		Mr. Rekha Ranjan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-08-2025 Heard Mr. Surendra Kumar Singh, learned Senior
counsel and Mrs. Nutan Sahay, AC to AAG-12.

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

*“(I) quashing the land acquisition
proceedings in relation to the acquisition of 47.97
acres of land in which 0.15½ acre of land of the
petitioner situated in village Iguna, Thana no.310,
Anchal Manpur, P.S. Muffasil, District Gaya was
acquired pursuant to the notifications dated
19.8.2013 and 20.8.2013 published in the daily
news paper "Prabhat Khabar" dated 31.8.2013
and 1.9.2013 respectively declaring the land in
question needed for public purpose, namely*



construction of quarters for Border Security Force by invoking urgency clauses under Section 17(4) of the land Acquisition Act, 1894 (Act 1 of 1894) as amended by Land Acquisition (Bihar Amendment) Act, 1960 (11 of 1961) and directing the State Government/authorities to make over the vacant possession of the land to the petitioner.

(II) quashing the Land Acquisition Proceedings in relation to the land of the petitioner acquired pursuant to the notification dated 19.8.2013 and declaration dated 20.8.2013 under the provisions of Land Acquisition Act 1894 (hereinafter referred to as the "1894 Act") on account of the fact that the award in relation to the land of the petitioner under Section-11 of 1894 Act has not been made within a period of two years from the date of publication of the declaration as a result of which the entire proceedings for the acquisition of the land in question has lapsed by virtue of Section-11-A of 1894 Act.

(III) directing the respondents to initiate a fresh proceeding, if they so desired, in respect of



the land of the petitioner in terms of the Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation and Resettlement Act, 2013 ((30 of 2013) (hereinafter referred to as the "Act 30 of 2013") and to pay compensation in accordance with the said Act and further directing that even if it is deemed that award has been made, though in fact no award under Section 11 of 1894 Act has been made, the land acquisition proceedings have lapsed as far as the land of the petitioner is concerned since the respondent State has neither paid the compensation nor even determined the same in accordance with Section-24 of Act 30 of 2013.

(IV) issuing 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 come according to which, the petitioner has not approached the concerned respondents to receive the payment.

4. Learned Senior counsel submits that he shall be



approaching the concerned respondents.

5. In that background, allowing the parties to approach the respondents concerned, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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