

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19913 of 2016

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- 1.1. Chanita Devi W/o Late Shiv narayan Yadav, Resident of Village - Gangaili, Ward No. -3, Gram Panchyat - Maharaj Ganj, P.S. - Banmankhi, District- Purnea (Bihar) Pin - 854202.
 - 1.2. Dhananjay Kumar Yadav S/o late Shiv Narayan Yadav, Resident of Village - Gangaili, Ward No. -3, Gram Panchyat - Maharaj Ganj, P.S. - Banmankhi, District- Purnea (Bihar) Pin - 854202.
 - 1.3. Santosh Kumar Yadav S/o Late Shiv Narayan Yadav, Resident of Village - Gangaili, Ward No. -3, Gram Panchyat - Maharaj Ganj, P.S. - Banmankhi, District- Purnea (Bihar) Pin - 854202.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Water Resources Department, Bihar, Irrigation Bhawan, Patna.
3. The Director, Department of Land Acquisition and Rehabilitation, Bihar, Irrigation Bhawan, Patna.
4. The Collector of the District DM, Purnea.
5. The Special Land Acquisition Officer, Kosi Project, Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Nath Jha, Advocate
For the Respondent/s : Mr. Sajid Salim Khan-SC-25

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-11-2025

I.A. No. 01 of 2020

The aforesaid Interlocutory Application has been preferred for substituting the sole petitioner with the heirs as recorded in paragraph-3.

2. There is no objection from the other side.

3. In that background, I.A. No. 01 of 2020 stands allowed.



4. Let the sole petitioner be replaced by his heirs.

5. Office to do the needful.

CWJC No. 19913 of 2016

6. Heard the parties.

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

“(i) Directing the Respondent-authorities to pay the amount of interest over the total amount of compensation Rs. 2,54,310 (Two Lakhs Fifty four thousand, three hundred ten) which had been paid to the petitioner vide Annx-1, and thus the then Market rate was denied to the petitioner.

(ii) Directing the respondents-authorities either to pay themselves all the due amount of interest /solatium and other dues amounts from the day of acquisition/taking possession to the petitioner or they may refer the whole matter/case before the Land Acquisition judge, as per provision laid down under the L.A. Act, 1894.

(iii) Directing the respondents-authorities to pay the amount of compensation to the petitioner as per the Registration rate chart, fixed by the Govt. for the year 2013-14, though the petitioner has been paid the amount of compensation as per the very old rate meant for the agricultural land.

(iv) Directing the respondents-authorities to pay the amount of compensation to the petitioner by treating the lands in question as residential in nature, and/or pay at the rate which has been paid to



the other land owners.

(v) Directing the respondents-authorities pay compensation to the petitioner as per the new Land Acquisition, Rehabilitation and Resettlement Act, 2013 (herein after referred to as the New Act 2013) which entitles the amount of compensation four times to the Government fixed price.

(vi) Directing the respondents-authorities to treat the acquired plots in question as residential and to pay the amount of compensation as per the updated residential rate and the Market rate already fixed by the government in view of the said New Act 2013.

(vii) Directing the respondent-authorities to meet all irreparable losses/ grievances which have caused to the petitioner due to the delayed payments made to the petitioners vide Annx- 2 after about 24 years of acquisition/taking possession, as the acquisition of the lands in question took place in the year 1988-89 itself.

(viii) Holding that the petitioner is entitled to the amount of compensation as per the market rate (laid down under Section 23 of L.A. Act, 1894 & section 26 of New Act, 2013) as well as other amount of Bonus and interest over the total amount.

(ix) Granting any other relief/reliefs for which the petitioner may be found entitled to.”

8. After some argument, learned counsel for the petitioner submits that he shall be approaching the appropriate authority for the redressal of the grievance.



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

10. The concerned Authority shall look into the matter and if any such petition is filed, shall see to it that the matter was pending before this Court for the last nine years while dealing with the limitation petition, if any.

(Rajiv Roy, J)

Adnan/-

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