

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.63 of 2017

1. Surendra Kumar @ Surendra Yadav and Anr Son of late Lakhan Yadav,
2. Chandradeo Yadav, Son of Late Badhan Yadav, Both resident of Village-Mandai, P.S.- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Land Acquisition Department.
3. The Director, Department of Land Acquisition and Rehabilitation, Bihar Irrigation Bhawan, Patna.
4. The Collector of the District DM, Jehanabad.
5. The Special Land Acquisition Officer, Sone Yojna, Aurangabad.
6. The Land Acquisition Officer, Aurangabad.
7. The Circle Officer, Modanganj, Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Kumar Malendu, Advocate
For the Respondent/s : Mrs. Nutan Sahay, AC to AAG-12

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 02-09-2025 Heard Mr. Kumar Malendu, learned counsel for the
petitioner and Mrs. Nutan Sahay, learned AC to AAG-12.

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

*“(i) directing to the respondents
authorities to pay compensation in term of the
provision of The Right to Fair Compensation
and Transparency in Land Acquisition,
Rehabilitation and Resettlement Act, 2013 (in
short the Act 2013) for the total area of land
measuring 2.30 acres, the description of which is
being given herein after (in para 5), which has*



purportedly acquired partly and taken on lease partly by the authorities, on the basis of correct market rate along with relevant multiplier and solatium treating the said land to be residential in nature after adjusting the amount already paid.

(ii) directing the Respondents-authorities to make provisions of rehabilitation and resettlement as envisaged u/s 31 of the said Act 2013 including employment to a member of the petitioners' family.

(iii) directing the respondent authorities to release the amount of compensation with regard to 3 decimals of land, un-disputedly which has not been paid to the petitioner.

(iv) any other relief and reliefs which the petitioners may be found entitled to.”

3. The claim of the petitioner is that though some compensation amount was paid, the award was never prepared, this has come in paragraph no.7 of the writ petition.

4. The counter affidavit was filed way back in the



year 2018 but the said paragraph has not been suitably replied inasmuch as whether the award was prepared or not and what was the award number.

5. In that background and since the matter is pending since last eight years, instead of keeping the same pending and allowing the State to file another affidavit after imposition of cost, it would appropriate that the petitioner approaches the District Land Acquisition Officer, Aurangabad, respondent no.6 in next four weeks who shall pick up the matter/peruse the file and shall be passing an appropriate order on the grievance of the petitioner.

6. Needless to add, if an award was prepared and pursuant thereto full payment has been made, the concerned authority is duty bound to provide all the documents to the petitioner who shall be then free to approach to the superior authority/Arbitrator if still aggrieved by the payment.

7. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

vinayak/-

U			
---	--	--	--

