

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13376 of 2021

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Md. Abid Hussain S/o Late Maghu @ Late Magau Resident of Bhawaniganj,
Andabari, P.S.- Pathamari, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. The Collector cum District Land Acquisition Officer, Kishanganj.
3. The Land Acquisition Officer Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Respondent/s : Mr. Raj Kishore Roy, GP-18

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 25-09-2025 The instant writ application has been filed by the

petitioner under Article 226 of the Constitution of India, seeking

the following relief(s):-

*“ 1. That this is an application for
issuance of an appropriate writ order or direction
quashing the Memo No. 5315 and 5340 dated
16.11.2018 issued by the Collector cum District Land
Acquisition Officer, Kishanganj by which the petitioner
has been informed that the award of Rs. 14,56,081/-
and Rs. 12,96,284/ respectively has been prepared for
acquisition of the land of the petitioner for
construction of Araria-Galgalia New B.G. Rail Line
and the petitioner has been asked to receive the
amount after producing the required documents of
land.*

*Further direct the respondent concern to
consider and disposes of the objection of the petitioner
regarding nature of land and pay adequate*



compensation in accordance with law.

Any other relief (s) for which the petitioner is found to be entitled in the facts and circumstances of the case.”

2. At the outset, Mr. Bhola Prasad, learned counsel appearing for the petitioner submits that the compensation in respect of petitioner's lands which have been acquired was wrongly fixed treating his land to be agricultural "Do Fasla" whereas the same were residential when the same were acquired, due to this reason, the petitioner is entitled to receive more amount and in this regard, petitioner received the compensation as fixed by the concerned authority on protest by way of an application dated 20.12.2018 filed before District Land Acquisition Officer, Kishanganj, however, the petitioner is ready to file a fresh representation before the Collector as provided under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013, so that either his earlier objection petition or fresh representation can be forwarded to the Land Acquisition Rehabilitation and Resettlement Authority established under Section 51 of the Act.

3. Accordingly, the present petition stands disposed of as not pressed, however, with giving liberty to the petitioner to



file appropriate application or representation before the Collector, (DLAO), Kishanganj, with regard to the aforesaid grievances within a period of four weeks from today and in case such a representation is filed, the same shall be referred to the Land Acquisition Rehabilitation and Resettlement Authority within a period of four weeks, thereafter.

4. The writ petition stands disposed of on the aforesaid terms.

(Shailendra Singh, J)

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