

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18973 of 2015

Rita Devi wife of Late Arbind Kumar Singh, Resident of Village- Basantpur,
Post Office and Police Station- Pirpainty, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition, Govt. of Bihar, Patna.
4. The Collector, Bhagalpur.
5. The Land Acquisition Officer, Bhagalpur.
6. The NTPC Ltd. through its Chairman-cum-Managing Director, NTPC Bhawan, SCOPE Complex, Institutional
7. The Kahalgaon Super Thermal Power Project through its General Manager, NTPC Kahalgaon, District- Bhagalpur.
8. The Arbitrator-cum-Divisional Commissioner, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Syed Masleh-Uddin Ashraf, Sr. Advocate
For the State	:	Mr. Sarvesh Kumar Singh, AAG-13 Mrs. Sunita Kumari, AC to AAG-13
For the NTPC	:	Mr. Amaresh Kumar Sinha, Advocate Mr. Vaibhav Narayan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 30-08-2025 Heard Mr. S.M. Ashraf, learned Senior counsel for the
petitioner and the State.

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

*“for the issuance of a writ of mandamus to
pay compensation to the petitioner in accordance
with the rate to be determined under the provisions
of the Right to Fair Compensation and Transparency
in Land Acquisition, Rehabilitation and Resettlement
Act, 2013 (hereinafter be called, 'the new Act') and
not in terms of the Land Acquisition Act, 1894*



(hereinafter to be called, 'the old Act').”

3. Learned counsel for the petitioner submits that though he has been provided the entire compensation, it has been bifurcated, earlier it was paid only 80% and later 20%.

4. The limited claim is that the 20% amount that has been paid, was done under the old Act whereas other similar situate persons had been provided compensation at the rate of new Act.

5. Learned State counsel submits that in that case, the remedy lies before the Arbitrator-cum-Divisional Commissioner, Bhagalpur Division, Bhagalpur.

6. In that background, learned counsel for the petitioner submits that he shall be presenting a proper petition before the competent authority in next four weeks.

7. If such petition has been preferred in next four weeks, the same shall be taken to its logical conclusion after hearing all the parties preferably by 31.01.2026.

8. The writ petition stands disposed of with aforesaid observation.

(Rajiv Roy, J)

Adnan/-

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