

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17968 of 2021

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Satyadeo Prasad Singh, Son of Ramnaumi Singh, Resident of Village - Anandgolwa, Ward No. 13, P.O. - Harail, P.S. - Mohiuddin Nagar, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The District Magistrate, Supaul.
4. The Land Acquisition Officer, Supaul.
5. The Circle Officer, Triveniganj Block, District - Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shadab Alam Wazdi, Adv. Mr. Ajay Kumar Singh, Adv.
For the Respondent/s	:	Mr. Raj Kishore Roy (GP-18) Mr. Navnit Kumar, AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 04-12-2025 The instant writ petition has been filed by the petitioner under Article 226 of the Constitution of India seeking the following reliefs :-

“1. That the petitioner craves indulgence of this Hon'ble Court for issuance of a Writ in the nature of Mandamus or any other appropriate Writ/Writs, Order/Orders, Direction/Directions, Command/Commands for directing the respondents to enhance the compensation amount of the acquired Raiyati land of the petitioner, which is a residential land in nature, because the Land Acquisition Officer has made the acquired land as Dhanhar Bhit-2, instead of residential land.”

2. Mr. Shadab Alam Wazdi, learned counsel for the



petitioner and Mr. Raj Kishore Roy, learned GP-18 for the State-respondents, are present and they are heard.

3. The main grievance raised by the petitioner is that the petitioner's land has been acquired for Supaul-Araria New Rail Line Project, though the compensation was awarded but the major part of the land, which has been acquired, was not detailed as residential land and accordingly, the compensation was awarded deeming the said land as agricultural land and thereafter, the petitioner has filed a representation (Annexure-3) before the District Magistrate, Supaul (respondent No. 3) for enhancement of the compensation and the same has not yet been decided.

4. This Court is of the view that the petitioner has efficacious remedy under section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (in short, 'Right to Fair Compensation Act'). Though the Collector concerned ought to have made a reference to the authority regarding the issue raised by the petitioner in his representation with respect to the inadequate compensation of the land that was acquired, but the Collector did not make any reference to the Authority, hence, the District Magistrate-cum-Collector, Supaul (respondent No.



3), is directed to decide the petitioner's representation (Annexure-3) as per the provisions of section 64 of the Right to Fair Compensation Act within four weeks from the date of receipt of a copy of this Court's order or production of the same. In case no order is passed by the District Magistrate-cum-Collector, Supaul (respondent No. 3) within the said period, then the petitioner will have a liberty to approach the Authority directly under section 64 of the Right to Fair Compensation Act and upon filing of such application, the Authority shall pass an appropriate order under section 64 of the Right to Fair Compensation Act to redress the petitioner's grievance. Accordingly, the instant writ petition stands disposed of.

(Shailendra Singh, J)

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