

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20068 of 2018

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1. Nagendra Prasad and Ors S/o Late Yamuna Prasad Rai, Resident of Village- Moudahi, P.S.- Bihata, District- Patna.
 2. Kusum Devi, W/o Late Lakshmi Mahato, Resident of Village- Yamunapur, Sikandarpur, P.S.- Bihata, District- Patna.
 3. Kapildeo Prasad, S/o Late Mahesh Prasad, Resident of Village- Jamunapur, P.S- Bihata, District- Patna.
 4. Mina Devi, W/o Sri Ramrup Prasad, Resident of Village- Moudahi, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Principal Secretary and Commissioner, Land Reforms and Revenue Deptt. Govt. of Bihar, Patna.
3. Collector, Cum District- Magistrate, Patna.
4. District Land Acquisition Officer, Patna.
5. Principal Secretary and Commissioner, Industries Deptt. Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajatshatru, Adv.
For the Respondent/s : Mr. Rishi Raj Sinha- Sc19

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-09-2025 Heard the parties.

2. The present application has been preferred:

*to issue a writ in the nature of
MANDAMUS / CERTIORARI or any other
writ or direction commanding the
respondents to enumerate and pay the
compensation of acquired lands of the
petitioners as referred in paragraph no. 15
to 18, Thana no. 51 of Mauza Sikandarpur,*



P.S. Bihata, District - Patna, as per the provisions contained in section 24 to 30, 40, 69 & 80 of Right to Fair Compensation and Transparency In Land Acquisition, Rehabilitation and Resettlement Act, 30 of 2013 [Here in after mentioned as "The Act"] of the Awards passed in L.A. case 01/2011-12, And Further the Petitioners prays for direction to respondents to enumerate and pay the market value of land as on the date of implementation of "the Act" i.e.1.1.2014 as mentioned in The Act as well as instructions contained in letter dated 26.10.2015 & 4.12.2015 [Ann-11 & 12], And Further prayer to pay the additional compensation of 75% as per section 40 (5) of the Act as enumerated and paid to the Awardees of L.A. case no. 17/2005-06 of Mauza - Adhapa Thana no. 65 Phulwari, District Patna of construction of Neura Daniyawa broad gauge railways line [Ann-14] as per letter dated 7.12.2016 [Ann-13] because the land has been acquired under emergent provisions of the Act, And Further the Petitioners prays for direction to pay the amount @12% per annum as contained in section 30 (3) of the Act, Further prayer for direction to respondents to enumerate and pay the interest from the date of possession of the plot, u/s 80 of the Act And be further



*pleased to issue any further direction/
directions to the respondents in view of the
facts and circumstances of this case.*

3. The claim is that the payments have been made as per the old act and in that background, the same has been received under protest.

4. Learned counsel for the petitioner submits that it would suffice, if he is granted liberty to approach the Land Acquisition, Rehabilitation and Resettlement Authority (LARRA) under section 64 of the Land Acquisition, Rehabilitation and Resettlement Act, 2013.

5. Granting such liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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