

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17022 of 2017

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Ramesh Prasad Gupta Son of Banshi Sah, resident of Village- Khajura, P.S.-
Durgawati, District- Kaimur Bhabua.

... .. Petitioner/s

Versus

1. The Union Of India
2. The Ministry of Railways, through the Chief Project Manager, Dedicated Freight Corridor Corporation
3. The Assistant Project Manager, Dedicated Freight Corridor, Rail Project Mugalsarai, Sone Nagar, Blo
4. The Secretary, Ministry of Rural Development and Land Resources Department, Government of India, Ni
5. The State of Bihar, through Principal Secretary, Department of Revenue and Land Reform, Bihar, Patn
6. The Commissioner-Cum- Arbitrator, Patna Division, Patna.
7. The District Magistrate-Cum- Collector, Kaimur Bhabua.
8. The Competent Authority-Cum- District Land - Acquisition Officer, District- Kaimur Bhabua.
9. The Superintending Engineer, Department of Building Construction, Building Circle, Ara, District- B
10. The Executive Engineer, Building Construction Department, Building Division, Bhabua, District- Kaim

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr. Md.Khurshid Alam, AAG-12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-05-2025 No one appears on behalf of the petitioner though

Mrs. Nutan Sahay AC to AAG-12 is present.

2. The present petition has been preferred for the

grant of following relief(s):

*(i) For a Direction upon the Respondents to
make Re-valuation of the acquired building /*



structure of the Petitioner as per the details of land mentioned at Para. 4 of the present application by initiating a fresh enquiry after constituting a committee.

(ii) For a Direction upon the Respondents to act upon in accordance with Section 26 of the New Land Acquisition Act as also under Section 20 (Ch) of the Railways (Amendment) Act 2008 and accordingly the value of the structure / house be assess / fix on the basis of current market rate in comparison with the rate of District Registration Office.

(iii) For a Direction upon the Respondents not to apply method / tactics of price depreciation in case of assessment of the valuation of building/structure.

(iv) For a Direction upon the Respondents to pay the Solatium amount in case of soil filling, tree and it's ancillary relating to the land of the Petitioner along with a Compensation @12% on annual basis be given to the Petitioner.

(v) For a Direction upon the Respondents to



make the valuation / fixation of the rate of land, building / structure together afresh in terms of Section 24 (2) of the New Land Acquisition Act, 2013.

(vi) For a Direction upon the Respondents not to act upon further till the grievances of the Petitioner as stated above be not redress / fully complied with and till then the Award prepared in this case as also the Order dated 19.5.2017, passed in Arbitration Case No. 36/2016, passed by the Commissioner, Patna Division, Patna (Respondent No. 6) may kindly be kept in abeyance.

(vii) Further the Petitioner seeks indulgence of this Hon'ble Court to grant any other reliefs for which the Petitioner is found entitled in the facts and circumstances of this case.

3. Mrs. Nutan Sahay has taken this Court to different paragraphs of the counter affidavit to show that the compensation amount of the petitioner was assessed and process was there to make payment. This counter affidavit was served upon the learned counsel for the petitioner on 02.08.2018 and



there is no rejoinder to rebut the same.

4. This Court is convinced that the respondents have taken the matter to its logical conclusion.

5. However, since there is no appearance, the writ petition stands dismissed for non-prosecution.

(Rajiv Roy, J)

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