

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20059 of 2018

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Jamiruddin Son of Abdul Hamid, Resident of Indrpur, P.S.- Pothia, District-
Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector, Kishanganj.
2. The Collector, Kishanganj.
3. The District Land Acquisition Officer, Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate
For the Respondent/s : Mr. Subash Chandra Yadav, GP 15

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-11-2025 Heard Ms. Chitra Dwivedi, learned counsel for the

petitioner and learned counsel appearing on behalf of the State.

2. The petitioner, in the present writ petition, prays for
the following reliefs:-

*“1. For quashing the letter No. 17
(30) and 29 (50) dated 21.07.2018 and letter
No. 2992 and 3023 dated 23.07.2018 issued by
respondent No.3 the District Land Acquisition
Officer, Kishanganj, whereby notice has been
issued to the petitioner to refund the excess
amount of Rs. 569427/- (Rs. 1,19,427
4,50,000), which was paid to the petitioner as
a compensation of lands acquired for
construction of barrier (Bandh) under the*



Land Acquisition Act.

II. For further direction to restrain the respondent No.3 from taking any coercive action against the petitioner in pursuance of the aforementioned notices.

III. For any other relief/reliefs for which the petitioner is entitled in the eye of law.”

3. The case of the petitioner is that the payment was made and now the notice has been issued by the Office of the Collector, Kishanganj dated 21.07.2018 asking him to return the excess amount and/or file its objection which needs to be interfered with.

4. Learned State counsel, with the help of the counter affidavit, submits that a simple notice was issued to him taking into account that due to error, excess amount has been paid. If the petitioner had any objection, he could have filed the same instead of rushing to this Court.

5. The counter affidavit of the respondent Nos. 2 and 3 came to be filed on 14.02.2022 after service of copy to the learned counsel for the petitioner which has not been rebutted.

6. The submission put forth by the learned State counsel is valid. If the petitioner has any objection, proper



objection petition be filed pursuant to the notice issued in the year 2018 which can be taken to its logical conclusion, if still not concluded.

7. Accordingly, writ petition stands disposed of with the aforesaid observation.

8. Before parting, this court would like to put on record name of learned counsel Ms. Chitra Dwivedi, for the petitioner, for the proper assistance rendered in the matter.

(Rajiv Roy, J)

GAURAV S./-

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