

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.780 of 2025

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Mahesh Kumar Bhagat @ Mahesh Bhagat @ Mahesh Prasad Bhagat Son of
Vaidyanath Bhagat Resident of Village- Alamnagar P.S - Alamnagar District-
Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Director, Land Acquisition, Government of Bihar, Patna.
3. The District Magistrate-Cum-Collector, Madhepura.
4. The District Land Acquisition Officer, Madhepura.
5. The Executive Engineer, (Karama Alamnagar Path Sudhar Pariyojna), Road Construction Department, Madhepura.
6. The Circle Officer, Alamnagar, District-Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumarj, Advocate
For the Respondent/s : Mr. Standing Counsel (8)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-01-2025 Heard Learned Counsel for the petitioner and Learned
Counsel for the State.

2. The present writ petition has been filed for directing the respondent authorities to make payment of suitable compensation amount as per its commercial rate to the petitioner for acquiring his raiyati/purchased land measuring 0.0175 Acre (01 decimal 750 Square feet) appertaining to Khata No.1876 Khesra No.2357 of Mauza Alamnagar, Thana No.72/1, Anchal Alamnagar, District- Madhepura.



3. Learned Counsel for the petitioner submits that petitioner has received notice under Section 37(2) of the Right to Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No.30 of 2013), but he has not accepted the said Award amount and submitted an objection before the Collector requesting to provide fair compensation.

4. Learned Counsel for the State submits that the representation of the petitioner is not proper as per the norms laid down in Section 64 of the Land Acquisition, Rehabilitation and Resettlement Act, 2013.

5. After hearing the parties, it transpires to this Court that the petitioner's land has been acquired for the purpose of construction of State road and petitioner has not accepted the compensation amount under law. The petitioner has supposed to file representation before the Collector under Section 64 of the Land Acquisition, Rehabilitation and Resettlement Act, 2013 demanding reference. From the representation filed by the petitioner, it transpires that objection has been made but request for reference has not been made.

6. In the facts and circumstances, this writ petition is disposed off directing the petitioner to file his application under Section 64 of the Land Acquisition, Rehabilitation and



Resettlement Act, 2013 before the District Magistrate, Madhepura, within 30 days from passing of the order making reference of his case before the concerned authority as petitioner has not received the compensation amount and having objection for enhancing of his compensation amount for which he has already made the necessary pleading in the writ petition.

7. The petitioner shall file a fresh representation before the District Magistrate, Madhepura, within 30 days raising all the points and the District Magistrate, Madhepura, thereafter shall take necessary action within 30 days further in the light of law laid down under Section 64 of the Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No.30 of 2013) from the date of receipt of the representation filed by the petitioner.

(Dr. Anshuman, J)

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