IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6016 of 2024

CNR No. BRHC010246122024

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Indradeo Prasad @ Indradeo Yadav Son of Late Mangal Yadav Resident of Village and Post Office-Purainai, Giriyak, Police Station-Giriyak, District-Nalanda, (Bihar).

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of land Revenue and Reforms,Government of Bihar.
2. The Additional Chief Secretary, Department of Revenue and Land Reform, Government of Bihar.
3. The Presiding Officer Cum President of Land Acquisition, Rehabilitation and Resettlement Authority, Patna. Division, Patna (Bihar).
4. The District Land Acquisition Officer, Nalanda.
5. The Circle Officer, Giriyak, Nalanda.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Aklavya Chandan Kumar, Advocate
For the State : Mrs. Dimpal Kumari, AC to GP-20
: Mr. Dhaneshwar Prasad Gupta, AC to GP-20

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 23-11-2026 Learned counsel for the petitioner prays for and is allowed to implead the Collector, Nalanda as respondent no. 6 in course of the day.

2. Heard the parties.

3. The present petition has been preferred for the following relief/s:

(i) for issuance of writ in the nature 'Certiorari' for quashing of order dated 02.08.2023 passed in L.A. Misc. No.

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153/2020 (N) by the learned Presiding officer cum president of Land Acquisition Rehabilitation and Resettlement Authority, Patna Division, Patna, hereinafter referred to as 'L.A.R.R. Authority, Patna', which has been passed in violation of second proviso to sub-section (1) of Section 64 of the 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013', hereinafter referred as 'R.F.C.T.L.A.R.R. Act 30 of 2013' and in violation of the 'Principle of Natural Justice' as provided under sub-section of Section 60 of 'R.F.C.T.L.A.R.R. Act 30 of 2013'.

(ii) for issuance of writ in the nature of 'Mandamus' for direction(s) or order(s) to the Presiding Officer cum President of L.A.R.R. Authority, Patna to follow the law relating to reference of application filed on behalf of the petitioner under second proviso to Section 64 (1) of the

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'R.F.C.T.L.A.R.R. Act 30 of 2013' as the District Land Acquisition Officer, Nalanda, hereinafter referred as 'D.L.A.O., Nalanda' has failed to make reference within 30 days from date of filing of the written objection with respect to amount of compensation of acquired land pertaining to Khata No. 72, Khesra No. 448, area-01.20 decimals of Ghora Katora mauza, Thana No. 353, Circle- Giriyak, District-Nalanda.

(iii) for declaration that a written objection filed under Section 64(1) of R.F.C.T.L.A.R.R. Act 30 of 2013 with respect to 'amount of compensation' on behalf of petitioner and another written objection filed by another person under Section 64 (1) of R.F.C.T.L.A.R.R. Act 30 of 2013 with respect to 'the person to whom it is payable' cannot be heard together since objection in relation to 'amount of compensation' and objection in relation to 'the person to whom it is payable' under Section 64 (1) of R.F.C.T.L.A.R.R. Act

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30 of 2013 have different purpose and object for reference before the L.A.R.R. Authority.

(iv) for issuance of such direction/s to respondent authorities and any other relief/s which petitioners may be entitled on the basis of such direction/s.

4. After some argument, learned counsel for the petitioner submits that it would suffice if the matter is referred to the Collector, Nalanda for deciding the case in accordance with law.

5. Learned State Counsel has no objection.

6. In that background, CWJC No. 6016 of 2024 stands disposed of allowing the petitioner to approach the Collector, Nalanda (respondent no. 6) within four weeks who shall be duty bound to take up the matter to its logical conclusion, after hearing all the necessary parties, preferably within six months.

(Rajiv Roy, J)

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