

(2021) 03 PAT CK 0121

In the Patna High Court

Case No : Letters Patent Appeal No. 974 Of 2019, Civil Writ Jurisdiction Case No. 12924 Of 2019

Shambhu Kumar

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision : 15-03-2021

Acts Referred:

Citation : (2021) 03 PAT CK 0121

Hon'ble Judges : Sanjay Karol, CJ;S. Kumar, J

Bench : Division Bench

Advocate : Ajeet Singh, Md. Khurshid Alam, Majid Mahboob Khan

Final Decision : Dismissed

Judgement

Heard the parties.

Aggrieved by judgment and order dated 16.07.2019 passed by learned Single Judge of this Hon'ble Court passed in C.W.J.C. No. 12924 of 2019 dismissing the writ petition in order to avail alternative remedy present L.P.A. has been filed by appellant/petitioner.

Appellant has filed writ petition for direction to respondent authorities to make necessary correction in the revenue records with respect to acquired land as same stands in the name of father of appellant but under the notification issued under the right to Fair compensation and transparency in land acquisition, rehabilitation and re-settlement Act, 2013, same has shown to be recorded as Gair Majarua Malik Land.

It has been further submitted that land appertaining to Khata no. 205, Survey no. 679, thana Mashrakh, District- Saran was Gair Majarua Malik Land and two kathas of which were settled in the name of father of appellant and thereafter it is claimed that Jamabandi was opened in his name and rent is paid to the Government of Bihar and 0.07 decimals of said land is proposed to be acquired for which notification was published in the newspaper, however, same has been

shown as Gair Majarua Malik Land, although same belongs to appellant, upon which he has constructed his house and shops and appellant is entitled to receive the compensation.

It has been further submitted that appellant has filed his written objection before the Land Acquisition Officer, Saran, Chapra and said objection has not been decided as yet, aggrieved by which writ petition was filed which was disposed of by the learned Single Judge with a direction to the authorities to consider the objections raised by the appellant and dispose of in accordance with law.

This Court does not find any infirmity or error in the order passed by the learned Single Judge requiring any interference by the Court, accordingly, the L.P.A. is dismissed.