

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14308 of 2015**

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1. Santanu Kumar Pathak son of Parsuram Pathak, Resident of village-  
Pathkauli Malkauli, Ward No. 3, P.O.- Malkauli, P.S.- Bagha, District-  
West Champaran

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Collector, West Champaran, Bettiah
3. The District Land Acquisition Officer, Land Acquisition Office,  
Collectorate, Bettiah, West Champaran
4. Anchal Adhikari Bagha-2, Anchal Office, Bagha, West Champaran

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Sinha No.-2

For the Respondent/s : Mr. R.K. Priyadarshi- SC32

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

6      11-09-2018                      Heard both sides.

The petitioner in this writ petition seeks direction upon the respondents to pay compensation along with interest of the lands of the petitioner bearing Khata No. 371, plot No. 1231, area 24 decimals and lands of Khata No. 358, plot No. 1211, area 15 decimals situated in village Pathkauli, Bagaha acquired for construction of security embankment of Bagaha town Phase-I from Gandak river.

The learned counsel for the petitioner submits that the lands stand in the name of petitioner and the petitioner is paying rent but for construction of security embankment the lands



of the petitioner were acquired but no notice was issued to the petitioner.

Counter affidavit has been filed on behalf of the State stating that land of plot No. 1231 is recorded in the name of Gairmazarua Jarpesgidar and land of plot No. 1211 is recorded as Gairmazarua Malik. The petitioner was noticed and he appeared before the Land Acquisition Officer but the petitioner did not produce any paper showing settlement of the land in the name of petitioner. It is further submitted that petitioner has already filed petitioner before the Collector but if the petitioner files petition before the Land Acquisition Officer annexing the documents showing his title over the land bearing Khata No. 371, plot No. 1231, area 24 decimals and land of Khata No. 358, plot No. 1211, area 15 decimals, the authority shall consider the case of the petitioner in accordance with law.

The learned counsel for the petitioner submits that the Land Acquisition Officer may be directed to consider the case of the petitioner if petitioner files a petition annexing the documents with regard to ownership of the land.

Having considered the facts aforesaid, I dispose of this writ petition with a direction to the Land Acquisition Officer that if the petitioner files petition that the lands of Khata No. 371,



plot No. 1231, area 24 decimals and land of Khata No. 358, plot No. 1211, area 15 decimals stand in the name of petitioner and the petitioner is paying rent since 1970 as the father of the petitioner purchased the land from the settlee of the land in question, the Land Acquisition Officer shall consider the petition of the petitioner and pass reasoned order within four months from the date of receipt of this order.

With this direction, this writ petition is disposed of.

**(Prabhat Kumar Jha, J)**

BKS/-

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