

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4957 of 2023

N.H. 2 Bhumi Adhigrahan Sangharsh Samittee Amas Anchal Gaya through its Secretary Amredndra Kumar Singh alias W. Singh aged about 56 years (Male), son of Sheo Bachan Singh, resident of Village Shyam Nagar Nima, P.S. Amas, Anchal Amas, District-Gaya at present Bina Kunj Near Zila School Gaya P.S. Civil Lines, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms Govt. of Bihar, Patna.
2. The Secretary, Department of Revenue and Land Reforms Govt. of Bihar, Patna.
3. The Commissioner Magadh Division, Gaya
4. The District Magistrate, Gaya.
5. The Land Acquisition Officer, Gaya.
6. The Deputy Collector Land Reforms, Sherghaty, Gaya.
7. The Subdivisional Officer Sherghaty, Gaya.
8. The Anchal Adhikari Amas, Gaya.
9. The National Highway Authority for N.H. 2 Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha, Advocate
Mr. Ravi Bhushan Sinha, Advocate

For the Respondent/s : Mr. Md. Nadim Seraj (GP5)
Mr. Shailesh Kumar, AC to G.P.5

For the National Highway: Mr. S. N. Pathak, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 07-04-2023

The petitioner herein claims to be the Secretary of a
‘Sangharsh Samittee’ concerned with the problems and welfare
of farmers and Raiyats of Villages under Amas Anchal, District



Gaya. The petitioner alleges that the State of Bihar without looking into the title and records of raiyats are proceeding with acquisition of residential and commercial lands, declaring them to be '*Dhanhar*' without reference to records of raiyats. It is also claimed that the raiyats of the aforesaid villages are in possession of such lands, which are now sought to be acquired.

The petitioner on his own showing, had approached this Court earlier with similar allegation which was disposed of as per Annexure-2. This Court had recorded the submission on behalf of the petitioner that he would be contend if a direction is issued to the Land Acquisition Officer, Gaya to consider the matter on a representation being filed by the petitioner. This Court had given liberty to the petitioner to file such a representation within a period of four weeks and directed the Authority to consider and dispose it of expeditiously. It is also the submission of the petitioner that in accordance with the direction, a representation was filed on which Land Acquisition Case No.99 of 2021 was registered and is still pending. The petitioner in the present petition also speaks of a personal property of the petitioner which is sought to be acquired and the willingness of the Samittee and its members to give their lands for acquisition if proper compensation is awarded.



We do not find any public interest being agitated in the above case, especially since the questions raised as to validity of acquisition proceedings and the adequacy of compensation, would have to be agitated by the individual parties who claim title to the properties before the appropriate authority under the Land Acquisition Act. We find no reason to entertain a subsequent litigation on the very same issue which has been dealt with in Annexure-2 judgment, despite the fact that in Annexure-2, the Court had left remedy to the petitioner to approach again on a subsequent cause of action. We find no such cause of action having arisen. We dismiss the writ petition *in limine*.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	11.04.2023
Transmission Date	

