

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12569 of 2015

=====

Shamsher Bahadur Singh S/o- Late Gupteshwar Singh, Resident of vill.-
Padari, P.O.- Chirman Pur, P.S.- Buxar Indtrial, Distt.- Buxar

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary, Road Construction Department
 2. The National Highway Authority of India NAHI, through its District Land Acquisition Officer, Buxar
 3. Suniti Singh, W/o- Late Sachita Nand Singh Gaurav Saqngh Niwas, Bhaskar Press Gali, Deoria, Near Railway Station, P.S.- Deeoria, Dist- Deoria, State- Uttar Pradesh
 4. Ajeet Singh
 5. Sujeet Singh
 6. Dharmendra Singh
- Above three i.e. from 4 to 6, are son of Late Suresh Singh, Resident of Vill.-
Padari, P.O.- Chirman Pur, P.S.- Buxar (Inds.)

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Singh, Advocate
For the State	:	Mr. M.K. Sinha, SC-1
For the NHAI	:	Mr. Vivek Prasad, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-08-2023 Learned counsel for the petitioner, learned counsel for
the State and learned counsel for the NHAI are present.

2. The present writ petition has been filed for setting
aside the order dated 18.05.2015 passed in Case No. 03 of 2015
by the District Land Acquisition Officer, Buxar in which
objection of the petitioner has been rejected considering on the
ground that for land under dispute a Title Suit No. 155 of 2012
is pending and the Mutation Appeal by Deputy Collector Land
Reforms, Buxar has been decided against the petitioner and

therefore, objection filed by the petitioner was rejected.

3. Learned counsel for the State submits that there is no illegality in the said order and District Land Acquisition Officer, Buxar has passed reasoned order and therefore, no need of any interference.

4. After going through the pleading and hearing the parties, it transpires that objection of the petitioner has been rejected only due to reason that the land in dispute which was subject acquisition is also the subject matter of the Title Suit No. 155 of 2012 pending in the Civil Court, Buxar and Mutation Appeal has been decided against the petitioner.

5. In this view of the matter, this Court is not inclined to interfere in the order passed by District Land Acquisition Officer, Buxar. But liberty is given to the petitioner that upon finality of the Title Suit No. 155 of 2012, he shall be at liberty to sue further.

(Dr. Anshuman, J.)

ravishankar/-

U			
---	--	--	--