

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34229 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

-
1. Rambalak Thakur
 2. Ramshakha Thakur
 3. Sheosharan Thakur
All Sons of Late Pradeep Narayan Thakur
 4. Gauri Shankar Thakur
 5. Rama Shankar Thakur
Both Sons of Late Harinandan Thakur
 6. Umesh Thakur Son of Late Bindeshwar Thakur
All resident of Village- Koari, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Collector, Sitamarhi.
3. The Sub- Divisional Officer, Pupri, District Sitamarhi.
4. The Deputy General Manager, Technical Project Development Unit,
Muzaffarpur, Bihar State Road Development.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Shally Kumari, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The learned counsel for the petitioners at the outset brings to the notice of the Court an order dated 27.02.2020 in L.P.A. No.1563 of 2019 and submits that the land in question of the petitioners have been used for construction of N.H.-87 but without resorting to Land Acquisition proceedings for which the



the petitioners had moved this Court by filing C.W.J.C. No.1439 of 2017 wherein this Court had disposed of the writ petition with a direction that until and unless the land records are not corrected in accordance with law, the petitioners are entitled for compensation against which the State preferred L.P.A. No.1563 of 2019 and the L.P.A. also was disposed off without interfering with the order of the learned Single Judge but with an observation that the opposite party no.2 herein shall pay compensation amount to the petitioners herein on furnishing adequate surety in form of immovable property of the value of the compensation amount and the same shall be subject to the final outcome of the title suit pending between the parties i.e. between the petitioners and the State.

3. The learned counsel for the petitioner further submits that since the land already has been taken by the opposite parties for construction of NH-87 for which compensation has been directed to be paid subject to the condition as recorded in the LPA, as such the proceedings being initiated by the officials now is redundant and has no force.

4. Considering the submissions made by the learned counsel for the petitioner, the Court prima-facie is of the opinion that either the opposite party no.2 should pay the amount which



is due to the petitioners in terms of the order passed by the Hon'ble Division Bench in L.P.A. No.1563 of 2019 and should refrain from harassing the petitioners.

5. The quashing application is disposed off.

(Satyavrat Verma, J)

mdrashid/-

U		T	
---	--	---	--

