

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25263 of 2013

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Sh. Girija Shankar Prasad Son of Late Sheo Mangal Prasad Permanent Resident of Village Lauria, P.O. and P.S. Lauria, District- West Champaran, Bihar. Presently Residing at Mohalla- New Colony, Dak Banglow Road, Bettiah, West Champaran, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar, through Collector, West Champaran, at P.O. and P.S. Bettiah, Bihar
2. Chief Secretary, Government of Bihar, New Secretariat, at P.O. and P.S. Patna, Bihar
3. Principal Secretary, Government of Bihar, Land Reforms in Revenue Department, Old Secretariat, at P.O. and P.S. Patna, Bihar
4. Commissioner Tirhut Division at P.O. and P.S. Muzaffarpur, Bihar
5. District Land Acquisition Officer, West Champaran, at P.O. and P.S. Muzaffarpur, Bihar
6. Anchaladhikari Circle Officer, Lauria Anchal, at P.O. and P.S. Lauria, District- West Champaran, Bihar
7. Block Development Officer, at P.O. and P.S. Lauria, District- West Champaran, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Respondent/s : Mr.Anil Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 19-07-2023 1. The present writ petition has been filed seeking the following relief:-

“1.The petitioner in this writ application prays for direction to the respondents no. 1 to 7, authorities of the government of Bihar, to remove illegal encroachment and hand over the possession of the land measuring 1 (one) Bigha 6 (six)



Katha 12 ½ (twelve and half) Dhur of land of the petitioner after vacating the same to petitioner alternatively direct the respondents to pay the market price of the land to the petitioner, prevailing on the date of actual payment (the present market rate of the land in question is Rs. 3 lacs per decimal and at that rate the per katha rate comes to Rs. 22.5 lacs per katha and therefore total value of the land of which the respondents are in illegal possession comes to approximately Rupees six (6) crores only which they are possession/illegal encroachment since 1995 till 2013, to petitioner and also further direction to the respondents to pay further compensation to the petitioner at the prevalent market rate w.e.f. the date of filing of the petition till actual hand over of possession of the land to petitioner and also interest thereon @ 12% per annum, since 1995 i.e. the date of illegal encroachment/construction till the date of actual realization of the said compensation



amount by petitioner. Alternatively, the petitioner may be granted compensation equal to compensation amount under Land Acquisition Act.”

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, for redressal of the aforesaid grievances. Liberty so sought is granted.
3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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