

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14099 of 2021

Sanjay Kumar Singh, Son of Ramanand Singh Resident of Ward No. 03,
Sitalpur Raitola, Police Station- Chakia, District- East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, The Department of Revenue and Land Reforms, Government of Bihar.
2. The Director, Land Acquisition, The Department of Revenue and Land Reforms, Government of Bihar.
3. The Inspector General, Registration, Patna, Bihar.
4. The National Highway Authority of India through its General Manager, Bihar, Patna.
5. The Chairman, National Highway Authority of India, New Delhi.
6. The General Manager, National Highway Authority, Bihar, Patna.
7. The Collector, East Champaran, Bihar.
8. The District Land Acquisition Officer, East Champaran, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prashant Kumar, Advocate
For the Respondent/s	:	Md. Khurshid Alam, AAG 12
		Mr. Anshay Bahadur Mathur, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-09-2023

None appeared for the petitioner when the matter was called in the morning and later kept aside and taken up for hearing.

2. We perused the writ petition and also heard the learned Government Advocate.

3. The prayer in the writ petition is to direct the



respondent authorities to discharge their statutory obligations in letter and spirit strictly in terms of the provisions of the Indian Stamp Act, 1899 read with Bihar Stamp (Prevention of Under Valuation of Instruments) Rules, 1995 and the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, while deciding the nature, classification and market value of the lands under acquisition. There is also relief(s) claimed for employing the nature, classification and market value settled under the Minimum Value Register (MVR) prepared by the expert committee in terms of the provisions of the Indian Stamp Act, 1899 read with Bihar Stamp (Prevention of Under Valuation of Instruments) Rules, 1995 for the purpose of ascertaining the nature, classification and market value of the lands under acquisition within the State of Bihar and interdicting the respondents from deviating from such classification.

4. The petitioner, but for the blanket relief claimed, points out Annexure-1, instance of an acquisition and the wrong classification made thereunder. In fact, if there is a wrong classification made of any acquired property, it is for the affected party to take up appropriate proceedings in accordance with law before the competent forum; to challenge the wrong



classification made. There cannot be any blanket direction issued in a public interest litigation like the instant one, filed in a vacuum.

5. We specifically refer to the decision of the Hon’ble Supreme Court in **M/s Kusum Ingots and Alloys Ltd. v. Union of India & Anr.; AIR 2004 SC 2321**, wherein the SARFAESI Act was challenged before the Delhi High Court on the ground that the seat of the Union Government was in Delhi. It was held by the Hon’ble Supreme Court that the jurisdiction of a High Court cannot be invoked in a vacuum. We find absolutely no reason to invoke the extraordinary jurisdiction under Article 226 of the Constitution.

6. We dismiss the writ petition.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	08.09.2023
Transmission Date	

