

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11069 of 2022

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1. Chandeshwar Singh S/o Late Bechan Singh R/o Village- Jinpura, P.S.- Khiripar, Dist- Patna (Bihar)
 2. Bhuneshwar Singh S/o Late Shiv Dhani Singh, R/o Village- Jinpura, P.S.- Khiripar, Dist- Patna (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary of Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Revenue and Land Reform Department, Bihar, Patna.
3. Director, Land Acquisition, Bihar, Patna.
4. District Magistrate, Patna.
5. District Land Acquisition Officer, Patna.
6. Sub Divisional Magistrate, Paliganj.
7. Circle Officer, Paliganj, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar , Advocate
For the Respondent/s : Mr. Md. Khurshid Alam (Aag12)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-11-2023 Heard learned counsel for the parties.

2. This writ petition has been filed for restraining respondents authority from acquiring the raiyati land of the petitioners pertaining to Khata No. 152 , C . S. Plot No. 1138 , Area 01 Acre sitauted at Maza – Piyarpura , Thana No. 384 , Anchal – Paliganj , Dist – Patna for building Piyarpura Thana Bhawan .

3 . It is submitted on behalf of the petitioners that the petitioners are poor farmers and ancestors of Khatiyani Raiyat



Bishu Mahto, and the said land in question is the base of livelihood for the petitioners. It is next submitted that on June 25, 2022, without any earlier notice or information to the petitioners, a pronouncement was given by the District Magistrate. Patna (Respondent No. 4) in the Dainik Hindi Newspaper "Dainik Bhaskar" to build Piyarpura Thana Bhawan at Mauza-Piyarpura, Anchal-Paliganj, Dist-Patna, Area-1 Acre, permanent land acquisition is required, and a detailed land description is given of the land of the petitioners. Thereafter, on June 27, 2012, a notice was given by the District Land Acquisition Officer, Patna, in LA. Case No. 06/2021-22 to the Petitioners and stated that compensation money of Rs. 9023163.54/- is paid on 10.07.22 after the Petitioners provide a valid paper to acquire land. If no valid document of the said land is given, no interest has been paid on compensation money. It is further stated that the petitioners had given representation to the Circle Officer. Paliganj, Patna, on July 7, stated therein that building a Thana Bhawan in Piyarpura is not proper because one acre of fifty-six decimal "Aam Gairmajarua land is already situated in Imamganj Bazar. The said acquired land is the livelihood of the petitioners. The said acquired land is situated on the boundary of Paliganj Anchal, and only 1.5 km away from



the said land. Imamganj Bazar is the center of the said area, and it is a naxal-affected area. It is next submitted that it is a waste of public money to acquire the Raiyati land in spite of the fact that "Aam Gairmajarua" land is situated in the center of this area.

4. However, by filing a counter affidavit, learned counsel for the respondent opposed the prayer and submitted that a public notice for the construction of the said Thana Bhawan has been made in the daily newspaper "Dainik Jagaran" dated August 6, 2022, and in "Hindustan" dated August 7, 2022 (Annexure-A Series), along with the details of the land, i.e., the khata number, plot number, area, and the name of the Jamabandi Raiyats. It is further stated that a first notice dated June 27, 2022; a second notice dated July 8, 2022; and a third notice dated July 15, 2022 have been issued by the office of the District Land Acquisition Officer, Patna, to receive the compensation amount with regard to the land in question. It is further stated that the land identified for the said purpose is of strategic importance, and there is no suitable government land in the said area for public use considering convenience. In this regard, a social impact study for land acquisition at Piarpura Mauja for the construction of Piarpura Police Station has also



been done for the aforesaid recommendation project. Lastly , it is stated that the claim made by the petitioner for shifting the place of construction of the said Thana Bhawan near Imamganj Bazar, which is gairmajama aam land is not justified in the eyes of law .

5. Having heard counsel for the parties and having perused the materials on record, I do not find any merit in the application. Location of Police Thana Bhawan is primarily for the state government to decide. The appropriate authority for deciding the place of construction of Police Thana would be the concerned department and/or the local administration. This is purely an administrative matter. This Court cannot arrogate to itself the role of administrator to start taking administrative decisions where the Police Thana should be constructed or not.

6. This writ petition is accordingly dismissed.

(Prabhat Kumar Singh, J)

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