

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12000 of 2022

1. Surendra Paswan Son of Late Parmeshwar Paswan,
2. Birendra Kumar Singh, Son of Late Anirudh Singh,
3. Karuna Shankar @ Karoona Shankar, Son of Late Ram Naresh Singh,
4. Vidya Vinod Singh, son of Late Khubi Singh,
5. Jagdish Singh, son of Late Ram Pyare Singh,
6. Raghubir Singh, son of Late Tripit Narayan Singh,
7. Ramji Singh, son of Late Sundar Singh,
8. Moti Prasad, son of Late Bageru Prasad,
9. Rajesh Kumar Singh, Son of Late Dinesh Kumar Singh,
10. Akhilesh Kumar Singh, Late Mahendra Singh,
All Resident of Village - Rawaich, Police Station - Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Rural Works Department, Govt. of Bihar, Patna.
2. The Chief Engineer, Rural Works Department, Bihar, Patna.
3. The Executive Engineer, Rural Works Department, Work Division, Patna.
4. The Collector-cum-District Magistrate, Patna.
5. The District Land Acquisition Officer, Patna.
6. The Sub-Divisional Officer, Barh, District - Patna.
7. The Circle Officer, Bakhtiyarpur, District - Patna.
8. The Director, Social Impact Assessment Authority, A.N. Sinha Institute, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Advocate
For the Respondent/s : Mr. Ajay (GA 5)

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 14-03-2023 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners have filed the instant application for



the following relief(s):

“i. For direction to the respondent Collector to determine the market value of the land in question as per the provisions laid down Under Section 26 of the Right to Fair Compensation and transparency in Land Acquisition, Rehabilitation and Re-Settlement Act, 2013 (For brevity Land Acquisition Act, 2013) and to pay the amount of compensation to the petitioners with interest without further delay.

ii. For direction to the respondent not to make construction over the raiyati land of the petitioner for the purpose of construction of road connecting to the National Highway No.30 from Chero-Nagarnausa district Nalanda (Bakhtiyarpur-Kalyanbigha) without following the due process of law and without payment of compensation amount as provided under the Land Acquisition Act, 2013 taking into consideration the value of the land of the petitioners as per the Registration charge fixed by the State Govt. and treating it as the residential/commercial.

iii. For direction to the respondents to pay the damages and compensation to the petitioners with respect to their land over which construction is being done after destroying the crops from the year 2020 itself without any information and consent from the land owners.

iv. For grant of any other relief or reliefs for which petitioner are entitled in the fact and circumstances of the case.”

At the outset, it is submitted by learned counsel



appearing for the State that the petitioners have an alternate and efficacious remedy under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Having heard the parties, this writ application is disposed of giving liberty to the petitioners to move before the appropriate authority under the aforesaid Act.

If such an application is filed, the same shall be considered and decided expeditiously in accordance with law.

(Partha Sarthy, J)

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