

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18225 of 2021

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Mohan Singh Son of Shivaji Singh, Resident of Village-Hakam, P.O.-Hakam,
P.S. Hakram, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department,
Government of Bihar, Patna.
3. The Director, Department of Land Records and Survey, Government of
Bihar, Patna.
4. The Commissioner, Saran Division, Chapra.
5. The District Magistrate, Gopalganj.
6. The Additional District Magistrate, Gopalganj.
7. The Deputy Collector, Land Reforms, Gopalganj.
8. The Land Acquisition Officer, Gopalganj, District-Gopalganj.
9. The Sub Divisional Officer, Gopalganj.
10. The Block Development Officer, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr. Md. Khurshid Alam, AAG-12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 17-08-2023

The petitioner has filed the above writ petition, in the nature of a Public Interest Litigation for direction to the respondent authorities for registration of the land of farmers from village Pakdi to Ram Janki Path, which are declared to be unsurveyed/Topo land; unilaterally violating the due process of law. It is also prayed that the respondent authorities may be



directed to pay compensation; to approximately two hundred farmers of village Pakdi under Gopalganj district, whose lands have been acquired or taken for construction of Narayani River Front from village Pakdi to Ram Janki Path without following land acquisition proceedings.

2. Looking at the prayers and averments made, we find absolutely no reason to invoke the extra ordinary jurisdiction especially for reason of the allegations being broad, without any specification of the lands and identification of the owners or ascertainment of the title of such owners.

3. We also looked at the counter affidavit filed on behalf of the Respondent Nos. 5 to 9. It is stated that the course of the Gandak river had been shifted towards the east and land left on the western side of the river, constitutes the bed of the river and is unsurveyed, as also belongs to the Government. The construction of Narayani River Front is on such unsurveyed land, which belongs to the Government and there is absolutely no need for acquisition or payment of compensation.

4. In any event, we are of the opinion that if at all, the relief of compensation is urged, it has to be urged by the individual owners, who would also be required to establish their title on such lands.



5. We find no reason to entertain the Public Interest
Litigation and dismiss the same.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

aditya/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	21.08.2023
Transmission Date	

