

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3308 of 2020

1. Gajender Narayan Singh Son of Basudeo Prasad Singh, Resident of Maina, Police Station- Mahishi, District- Saharsa, at Present Block Road, Refusi Colony, in front of Premlata College, Ward No. 24, Post Office- Kahra, Police Station- Kahra, District- Saharsa.
2. Ram Narayan Singh, Son of Raghu Nandan Singh, Resident of Maina, Police Station- Mahishi, District- Saharsa, at Present Block Road, Refusi Colony, in front of Premlata College, Ward No. 24, Post Office- Kahra, Police Station- Kahra, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Land Reforms Department, Bihar, Patna.
3. The Principal Secretary, Rural Development Department, Bihar, Patna.
4. The Collector, District- Saharsa.
5. The Land Acquisition Officer, District- Saharsa.
6. Bihar State Bridge Construction Corporation, Sardar Patel Marg, Patna through its Managing Director.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prabhakar Tekriwal, Advocate
For the Respondent/s	:	Mr. Subash Chandra Yadav (GP15)
		Mr. Rabindra Kumar Priyadarshi, Advocate
		Mr. Ramshankar Prasad, AC to GP-14

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 01-04-2024 Heard Mr. Prabhakar Tekriwal, learned counsel for the petitioners as also Mr. Rabindra Kumar Priyadarshi, learned counsel representing respondent no. 6 and Mr. Ramshankar Prasad, learned AC to GP-14.

2. The present petition has been preferred for the following reliefs:

(i) for a direction to the authority



concern either to acquire the land in question in accordance with law and pay the compensation accordingly to the petitioners or vacate the land of the petitioners which is used by the respondents for construction of bridge over the Koshi River at Mauza Bihna under Saharsa District;

(ii) for further direction to the authority concern to make payment of compensation for using the adjacent other land of the petitioner for keeping the materials of construction of bridge.

3. The State has filed counter affidavit stating that the Revenue Officer concerned had passed anti-dated judgment for which he was proceeded against and was ultimately dismissed from service (now dead).

4. A reply to the counter affidavit has been filed on behalf of the petitioners and Mr. Prabhakar Tekriwal took this Court to paragraph 6 to submit that the entire allegation of anti-dated judgment is on late Riyazuddin Ahmad whereas the case of the petitioners were decided by Sri. Shiv Nandan Yadav, the Revenue Officer and as such, the statement made in the counter affidavit is beyond the truth.

5. In view of the stand taken by the State vis-a-vis the petitioners, it would be appropriate that the Collector, Saharsa



examine the matter himself so that the case relating to the petitioners is taken to its logical conclusion.

6. In the aforesaid circumstance, let the petitioners prefer a proper representation alongwith all the documents supporting his case before the Collector, Saharsa within a period of four weeks from today.

7. If such representation is filed, after hearing all the parties and perusing the record, the Collector, Saharsa has to pass an order within a period of six months thereafter.

8. The writ petition stands disposed of.

(Rajiv Roy, J)

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