

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4017 of 2023

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Bijendra Prasad Singh @ Bijendra Narain Singh S/o Late Rama Kant Singh
Resident of Village-Kanhauli, Mouza-Baltara, P.S.-Gogri, District-Khagaria at
Present residing at Flat No.-O/4F Sail City Apartment, New Pundag ranchi-
834007 (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secreary, the Revenue and Land Reforms
Dept. Govt. of Bihar Patna.
2. The Chief Engineer, Flood Control and Water Discharge Control Department
Samastipur District-Samastipur, Bihar
3. The Superintending Engineer Flood Control and Water Discharge
Department, Khagaria District-Khagaria.
4. The Executive Engineer, Flood Control Division-2 Department, Khagaria
District-Khagaria.
5. The District Magistrate Khagaria.
6. The District Land Acquisition Officer, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Das
For the Respondent/s : Mr.Raj Kishore Roy (Gp 18)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 01-02-2024 This writ application has been filed for commanding

the respondents to ascertain the exact area of the land of the
petitioner, which had been acquired by the State Govt. for the
construction of the Badlaghat Nagar Para Embankment, vide
Notification No.- 429 dt. 19.11.1990 under Section 4(1) of the
Land Acquisition Act, 1894 without serving the copy of the
Notification on the petitioner and without paying any
compensation of the said land to him.

2. In this case, a counter affidavit has been filed on



behalf of respondent no. 5 & 6 and in paragraph – 5, it is stated that the land acquisition process was initiated, vide Case No. 22/81-82, 22/89-90 and the same was lapsed due to non-allotment of fund and as such, D.L.A.O., Khagaria, vide letter no. 352 dated 22.12.2001 and letter no. 120 dated 25.02.2023 to the Executive Engineer, Flood Control Division 2, Khagaria, has requested for fresh requisition, administrative approval and allotment so that fresh land acquisition proceeding may be initiated.

3. In view of stand taken by the State, the writ petition is disposed of with direction to the respondents authorities to initiate and conclude fresh land acquisition proceeding in accordance with law as soon as possible.

4. With aforesaid observation, the writ petition is disposed of.

(Prabhat Kumar Singh, J)

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