

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11510 of 2023

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Rameshwar Singh Son of Late Raj Kishore Singh Resident of Village-
Jadpurwa, P.S.- Rajpur, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
2. The Collector, Buxar.
3. The Land Acquisition Officer, Buxar.
4. The Sub- Divisional Officer, Buxar.
5. The Circle Officer, Chousa, District- Buxar.
6. The National Highway Authority of India through its Competent Authority, Buxar.
7. The Executive Engineer, NH Division, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Devi Das Srivastava, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 01-04-2024 Heard the parties.

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

(i) for quashing the order dated 15.06.2023 in respect of Serial A no.3 only passed by the Land Acquisition Officer, Buxar, whereby the objection petition filed by the petitioner with regard to conversion the nature of his land of Thana no.34, Khata no.91, Khesra no.337, from Agricultural to commercial has been rejected without assigning any reason;



(b) for issuance of writ in the nature of Mandamus directing and commanding the Respondents for conversion the nature of land of agricultural the petitioner from to commercial on the ground of present existing position of the land in the nature of commercial as nearest land of the petitioner has been sold and registered as commercial in nature.

3. Learned counsel for the petitioner submits that vide Annexure-9, the Competent Authority-cum-District Land Acquisition Officer, Buxar has negated the claim of the petitioner (serial no.3). So far as his case of treating it as commercial land is concerned, the learned State counsel has drawn attention of this Court to paragraph 5 of the counter affidavit of the respondent nos. 2 to 5 which reads as follows:

5. That in this context it is submitted that the land in question is agriculture in nature in the notification dated 04.05.2022 under NH Act, 1956. Section-3(A) and final notification issued dated 07.03.2023 under NH Act, 1956 Section-3(D).

4. Learned counsel for the petitioner submits that he shall be availing remedy as per the reply filed by the State in the counter affidavit.



5. Granting such liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

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