

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18823 of 2021

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1. Mukund Kumar Sinha S/o Late Maheshwar Prasad Resident of Village Kharigawan, P.S. Chainpur, District- Kaimur (Bhabua).
 2. Prabhat Kumar S/o Late Maheshwar Prasad Resident of Village Kharigawan, P.S. Chainpur, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue Dept.
2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna.
3. The Principle Secretary, (P.W.D.), Old Secretariat, Patna.
4. The Executive Engineer, National Highway Authority of India, Bypass Road, Aurangabad, District Aurangabad, Bihar.
5. The Collector, Kaimur, Bhabua.
6. The Sub-Divisional Magistrate, Bhabua, District Kaimur Bhabua.
7. The District Land Acquisition Officer, Kaimur, Bhabua.
8. The Circle Officer, Chainpur, District Kaimur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Radha Mohan Pandey, Advocate.
For the Respondent/s	:	Mr. Sajid Salim Khan (SC-25)
For the Respondent No.4:		Mr. Dr. Mourya Vijay Chandra, Advocate
		Ms. Preety Ranjan, Advocate.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-11-2024 1. Heard learned counsel for the petitioners, learned

AC to SC-25 and the learned counsel appearing on behalf of the

N.H.A.I.

2. The learned counsel for the petitioners submits that

the land pertaining to RS Khata No.191/197, Chak Plot No.808,

804-805, 809, 810, 811 and 1360, Chak Khata No.609/959,

609/957, 320, 322, 323 and 586, Area 10 decimal, 28 decimal,

15 decimal, 8 decimal, 11 decimal and 18 decimal respectively,



at Mauza- Kharigwam, P.S. Chainpur, District- Bhabua is raiyati land of the petitioners. It is next submitted that the land in dispute was used for widening Bhabua, Chainpur and Dharauli road. It is next submitted that the raiyati land of the petitioners was not acquired rather the State forcefully utilized the raiyati land of the petitioners, for widening of the aforesaid road without paying any compensation. It is next submitted that petitioners had represented before the Collector, Kaimur (Bhabua) vide their representation dated 19.02.2021, seeking the relief as claimed in the instant writ application but then the Collector sat over the matter and the grievance of the petitioners was not redressed, as such, the petitioners had to move before this Court.

3. The learned counsel appearing on behalf of the State submits that from perusal of para-7 of the writ application, it would manifest that petitioners had represented before the Collector for getting their land pertaining to Plot No.609, 320, 322, 323 and 586 under Khata No.191 at Mauza- Kharigwam, P.S. Chainpur measured and demarcated. It is next submitted that petitioners ought to have moved before the Circle Officer for getting the land measured and demarcated after depositing the requisite fee but then the petitioners instead of approaching



the Circle Officer, approached the Collector, on which, the learned counsel appearing on behalf of the petitioners submits that the Collector could have marked their representation to the Circle Officer for doing the needful but sat over the matter. It is also submitted that since the raiyati land of the petitioners have been used for the purposes of widening of the aforesaid road without acquisition and compensation, as such, the Collector would be the authority competent for getting the matter inquired and decided, on which, the learned counsel appearing on behalf of the State submits that the petitioners be directed to file a fresh representation before the Collector, Kaimur, Bhabua raising all the issues, raised in the instant writ application seeking redressal of their grievance.

4. The learned counsel for the petitioners submits that he will file a detail representation before the Collector, Kaimur, Bhabua raising his grievance in accordance with law.

5. After hearing the learned counsel for the parties, the writ application is disposed of with a direction to the Collector, Kaimur, Bhabua that if any representation is filed by the petitioners on or before 16.12.2024, the same shall be disposed of, in accordance with law, within a period of 3 months from the date of receipt/production of a copy of this order.



6. The writ application is accordingly disposed of
with aforesaid direction.

(Satyavrat Verma, J)

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