

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16127 of 2024

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1. Ram Naresh Singh son of Late Ram Swarath Singh Resident of village- Kuari Madan, Police Station- Majorganj, District- Sitamarhi.
 2. Vijay Kumar Singh @ Vijay Kumar Sinha son of Late Ram Padarath Singh Resident of village- Kuari Madan, Police Station- Majorganj, District- Sitamarhi.
 3. Dhiraj Kumar Singh son of Late Ajay Kumar Singh Resident of village- Kuari Madan, Police Station- Majorganj, District- Sitamarhi.
 4. Madhurendra Kumar son of Alakh Singh resident of village- Kuari Madan, Police Station- Majorganj, District- Sitamarhi.
 5. Dharmbir Pratap Singh son of Late Madan Singh resident of village- Kuari Madan, Police Station- Majorganj, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Revenue and Land Acquisition, Govt. of Bihar, Patna.
2. The Collector, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Yogendra Mishra, Sr. Adv. Ms. Swati Mishra, Adv.
For the Respondent/s	:	Mr. Government Pleader (4)

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-10-2024 Heard learned counsels for the parties.

2. Learned counsel for the petitioners submits that in the present petition there is common interest of the petitioners and the separate court fees is not required in view of the judgment *reported* in **1998(2)PLJR 765 (Smt. Krishnapati Devi Vs. State of Bihar)**. He further submits that petitioners have filed a petition for restoration of possession over the land as the purpose of the acquisition of land has ceased and the land is



lying vacant.

3. In view of the submissions of learned counsel for the petitioners, the defects pointed out by the Office is ignored at this stage.

4. Heard learned counsels for the parties.

5. The petitioners seek the following reliefs:-

(i) An appropriate writ/order directing the respondents to restore possession of the land mentioned in the khatiyani (Annexure-1 and Annexure-1/1) to the petitioners holding that the purpose for acquisition of the petitioners land ceased to operate 38 years ago, be issued.

(ii) An appropriate writ, order or direction holding the petitioners entitled to get back the land in terms of Section 101 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement Act, 2013 (hereinafter referred to as an Act), be issued.

(iii) For grant of any other relief or reliefs for which petitioner is entitled to, in the fact and circumstances of the case.

6. Learned counsel for the petitioners submits that petitioners filed a petition dated 22.07.2024 before the Collector, Sitamarhi which is pending before the said authority. He prays that the Collector, Sitamarhi may be directed to dispose of the said petition of the petitioners for which he is ready to co-operate in the proceeding.

7. Learned counsel for the State has no objection to the prayer of the petitioners.

8. In view of the submissions of learned counsels for



the parties, the Collector Sitamarhi is directed to expedite the disposal of the pending petition dated 22.07.2024 in accordance with law and the petitioner shall co-operate in the said proceeding.

9. Accordingly, the instant writ petition stands disposed of.

(Sunil Dutta Mishra, J)

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