

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17579 of 2022

Shivkali Devi wife of Late Ramadhar Prasad, Resident of Village and P.O.-
Bindusar Bujurg, P.S.- Mahadeva O.P., District- Siwan.

... .. Petitioner/s

Versus

1. The Union of India through the Ministry of Road Transportation and National Highway, Government of India, New Delhi.
2. The State of Bihar through the Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
4. The Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
5. The Commissioner, Saran Division, Saran.
6. The District Magistrate, Siwan.
7. The District Sub- Registrar, District Sub- Registry Office, Siwan.
8. That Land Acquisition Officer, Siwan.
9. The General Manager/ Director, National Highway Authority of India, Ministry of Road Transport and Highway (MORTH) Government of India.
10. The Appropriate Officer, Project Implementation Unit, National Highway Authority of India, Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar, Advocate Mr. Kanishak Kaushal, Advocate
For the Respondent/s	:	Mr. Manoj Kumar Ambastha, SC 26 Mr. Santosh Kumar Mishra, AC to SC-26

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-04-2024 Heard Mr. Kanishak Kaushal, learned counsel for the

petitioner and Mr. Santosh Kumar Mishra, AC to SC 26.

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



(i) for issuance of Direction to the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna to take final decision on the request of the District Magistrate, Siwan written vide Letter to the vide Letter No. 13 dated 26.04.2018 whereby he sought instruction about consideration of the land of the village Pakri Bangali under the category of DIH, wherein the District Magistrate, Siwan has admitted that the District Sub Registrar, Siwan provided MVR and details of Registration of three years which reveal that all the lands were registered under the category of DIH;

(ii) for issuance of direction to the Competent Officer -cum-Land Acquisition Officer, Siwan to consider the application dated 30.06.2020 submitted by the petitioner and pay the compensation to the petitioner for his land acquired for the purpose of widening of NH 85 at the rate and category of land registered in the Registry Office, Siwan since 2009 till date which clearly reveals that all the lands of Mauza- Pakri Bangali, P.S. No. 247, were registered under Dih Basgeet Category.

3. As usual, despite providing two copies of the writ petition, on call the State Counsel submits that no counter affidavit has been filed yet.



4. Learned counsel for the petitioner submits that petitioner has come here with the limited prayer and has drawn the attention of this Court to similar situate order passed in **CWJC No. 17610 of 2022 (Shivjee Prasad Vs. The Union of India & Ors)** and its analogous cases disposed of on 18.03.2024 by which in paragraph nos. 5 & 6, the following order has been passed.

“5. In that circumstance, instead of asking the respondents to file the reply on the reason for non-disposal of representation, it would be appropriate that the respondent no. 8, the Land Acquisition Officer, Siwan is directed to take immediate step and dispose of the representations of the 2020 2021 petitioner dated 30.06.2020-21, if still not disposed of, within a period of four weeks from the receipt/production of a copy of this order.

6. All the aforesaid writ applications stand disposed of with the aforesaid observations.”

5. Accordingly, the same route has taken in the present case also.

6. Let the Land Acquisition Officer, Siwan take a decision and dispose of the representation of the petitioner dated 30.06.2020, if the same is still not disposed of, within a period of four weeks from the receipt/production of a copy of this



order.

7. The writ petition stands disposed of with the
aforesaid observation.

(Rajiv Roy, J)

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