

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1550 of 2019**

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1. Krishna Kant Tiwari S/o Late Bihari Tiwari R/O- Village and P.O.-Banarpur, P.S.-Buxar Muffasil, District-Buxar.
  2. Ganesh Tiwari S/o Late Prabhu Tiwari R/O- Village and P.O.-Banarpur, P.S.-Buxar Muffasil, District-Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna
2. The Principal Secretary Department of Revenue and Land Reforms, Govt. of Bihar, Patna.
3. The Under Secretary, Department of Revenue and Land reforms, Govt. of Bihar, Patna.
4. Chairman-cum-Managing Director, The Bihar State Power Holding Company Ltd 1st floor, Vidyut Bhawan, Jawaharlal Nehru Marg, Patna-800001
5. The District Magistrate-cum-Collector, Buxar
6. The District Land Acquisition Officer, Buxar
7. The Deputy Collector Land Reforms, Buxar
8. The Chief Engineer Bihar State Power Holding Company Ltd. Patna
9. The Bihar State Power Generating Company Ltd. through its Managing Director, Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Vinod Kumar Singh, Advocate<br>Ms. Vagisha Pragya Vacaknavi, Advocate                  |
| For the State        | : | Mr. Raj Kishore Roy (Gp18)                                                                 |
| For Respondent No. 9 | : | Mr. Kumar Manish, Advocate<br>Mr. Arun Prasad, Advocate<br>Ms. Aishwarya Shankar, Advocate |
| For the Intervenor   | : | Mr. Venkatesh Kirti, Advocate                                                              |

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

6      20-03-2025                      Heard learned counsels for the parties.

2. The petitioners have filed this writ petition with prayer for issuance of a writ of *certiorari* or writs in the nature thereof or any other appropriate writs/orders/directions for



quashing order dated 13.09.2018 passed in Case No. 01/2017 (*Krishna Kant Tiwari V. Requisitioning Authority, Vidyut Tapgrih, Chausa*) by the District Land Acquisition Officer, Buxar whereby and where under the application of the petitioners (filed pursuant to order dated 28.3.2016 passed in CWJC No. 18622/2013) for withdrawal of their lands comprised in Khata No. 91, 128, Plot No. 143, 194, area 67 decimal and 1 acre 33 decimal respectively situated in Mauza-Banarpur, Thana No. 40, Circle- Chausa, District- Buxar, from the acquisition in question, has been rejected. The writ petition is also for issuance of writ of *mandamus* for directing the concerned authorities to withdraw acquisition proceedings in respect of the aforesaid lands of the petitioners by issuing notification to the aforesaid effect.

3. Learned counsel for the Respondents pointed out that vide order dated 28.03.2016 passed in C.W.J.C. No. 18622/2013, the said writ petition was disposed of as withdrawn with liberty to the petitioners to approach the State Government for grant of appropriate relief with respect to the claims raised by the petitioners. However, instead of approaching the State Government, the petitioners approached for redressal of their grievance before the District Land Acquisition Officer, Buxar (Respondent No. 6) who has also observed that the petitioners may approach before the concerned department. Accordingly, the



petitioners may approach the competent authority for redressal of their grievance in view of the said order dated 28.03.2016 passed in C.W.J.C. No. 18622 of 2013. He further submits that the order passed by Respondent No. 6 shall not affect the right of the petitioner with respect to their claim as the application of the petitioners has not been decided on merit.

4. Learned counsel for the petitioners submits that this case may be disposed of with liberty to approach before the competent authority/ State Government.

5. In view of the submissions of the learned counsels for the parties, this case is disposed of with liberty to the petitioners to approach before the competent authority/State Government within a period of one month from today. The petitioners shall be at liberty to raise all the facts and laws before the competent authority with respect to the claim raised by them and the said authority is requested to dispose of the same on merit expeditiously without prejudiced to the order dated 13.09.2018 passed in Case No. 01 of 2017 by the District Land Acquisition Officer, Buxar (Respondent No. 6).

**(Sunil Dutta Mishra, J)**

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