

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21115 of 2018

=====

Mithilesh Gohiwar Son of Late Rajdeo Golhiwar Resident of Village-Usrahi
P.S. Deodha, Distt.-Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate cum Collector, Madhubani
3. Additional Collector cum Arbitrator, Madhubani
4. The Competent Authority cum Land Acquisition Officer, Madhubani

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Respondent/s : Mr. Sajid Salim Khan -Sc25

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-10-2025 Heard the parties.

2. The present writ petition has been preferred for the
following relief(s):-

*I) Certiorari:-For Setting of aside
of order dated 28.06.2018 passed by
Arbitrator Cum Additional Collector,
Madhubani (Land Acquisition) in Case No.
78/2016-2017.*

*II) be An appropriate direction be
issued declaring the lands appertaining to
Khata No. 2389 Khesra No. 10567, Thana
No. 14 situated at Mauza Usrahi Deodha
Area 0.08 decimals is Commercial Land
which has been acquired in Land Acquisition
Case No. 04/2014-2015.*

III) An appropriate direction be



issued directing the Respondents to pay compensation for acquisition of 0.08 decimals land through Case No. 4/2014-15 appertaining to Khata No. 2389 Khesra No. 10567, situated in Mauza Usrahi Deodha at the commercial rate along with cost of the building standing thereon with interest thereon.

IV) Any other appropriate writ or direction, may be issued which may be applicable in the facts and circumstances of the case.

3. The land of the petitioner was taken for the development of widening of National Highway Authority of India in the district of Madhubani, the claim is that treating the land to be agriculture, an offer of payment was made.

4. Learned State counsel submits that if the petitioner has any grievance, the remedy lies under Section 34 of the Arbitration and Conciliation Act, 1996, before the competent Civil Court

5. Learned counsel for the petitioner submits that he shall be approaching the concerned Court but there has been delay as he was agitating the matter before Patna High Court.

6. The grievance seems to be valid, if such a petition is preferred in next eight weeks by the petitioner, the concerned



Court shall take up the limitation petition and dispose it of taking into account the fact that since the year 2018, the writ petition was pending before this Court.

7. With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

Raj Ranjan/-

U		T	
---	--	---	--

