

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8527 of 2017

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1. Ram Krishna Choudhary and Anr Son of Late Dr. Anil Kumar Choudhary, Resident of Village- Kahalgaon, P.O. and P.S. Kahalgaon, District- Bhagalpur.
 2. Bhanu Prakash Choudhary Son of Late Sarju Prasad Choudhary, Resident of Village- Kahalgaon, P.O. and P.S. Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Water Resources Department, Government of Bihar, Sichai Bhawan, Patna.
3. The Collector, Bhagalpur at Bhagalpur.
4. The Additional Collector, Bhagalpur.
5. The District Land Acquisition Officer, Bhagalpur.
6. The Special Land Acquisition Officer, Madhyam Sichai Pariyojana, Bhagalpur.
7. The Chief Engineer, Water Resources Department, Bhagalpur.
8. The Executive Engineer, Ganga Pump Nahar Division No.-2, Bateshwar Asthan Camp, Shivnarayanpur, Bha
9. The Executive Engineer, Ganga Pump Canal Division, Kahalgaon, Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Surendra Mishra, Adv.
For the Respondent/s : Mr.Vikash Kumar-Sc11

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-04-2025 Heard the parties.

2. The present petition has been filed:-

“for direction upon the respondents authorities to return 9.18 acres of land to the petitioners which have been acquired for construction of Bateshwar Asthan, Ganga Pump High Level Main Canal at Kahalgaon within Bhagalpur District vide Land Acquisition Case No.



25 of 1980-81 but till this date the said land of the petitioners have not been utilized and the land of the petitioners is lying vacant due to change of alignment of the canal and compensation money has also not been paid either to the petitioners or to their ancestors or deposited in the competent Civil Court hence the entire acquisition proceeding initiated under the old Act in respect to the land became lapsed as such in view of section 101 of the Land Acquisition Act, 2013 the petitioners are legally entitled to return their respective land.

(ii) For direction upon the respondents to grant deprivation to the petitioners as the poor petitioners are deprived of their land since 1981 though the said land has not been utilized is lying vacant due to change of alignment of the canal.

(iii) This writ application is also for further direction to the respondents to grant any such other relief of reliefs for which the petitioners are found legally entitled.

3. After some arguments, learned counsel for the petitioners submits that they shall be approaching the District Land Acquisition Officer, Bhagalpur (Respondent No.5) for the redressal of grievances.

4. Learned State counsel submits that they will have to bring forward all the documents in support of any claim being



led by them.

5. Granting liberty to approach the District Land Acquisition Officer, Bhagalpur (Respondent No.5) and if any such petition is preferred in next four weeks, the concerned Respondent is directed to take the same to its logical conclusion at the earliest preferably within the period of one year.

6. The writ petition stands disposed of as withdrawn.

(Rajiv Roy, J)

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