

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10763 of 2017

1. Satyendra Singh Son of Nepal Singh,
2. Ayush Kumar, Son of Satyendra Singh.
3. Randhir Singh, Son of Late Chandraket Singh.
4. Daya Nand Kumar Singh, Son of Bam Bahadur Singh.
5. Amarjeet Kumar Singh, Son of Late Dharm Nath Singh.
6. Ravindra Kumar Singh, Son of Jang Bahadur Singh.
7. Rajesh Kumar Singh, Son of Jang Bahadur Singh.
8. Sita Devi, Wife of Arun Kumar Singh.
9. Arun Kumar Singh, Son of Gaya Nand Singh.
10. Ashok Kumar Singh, son of Late Shivnandan Singh.
11. Shyam Sunder Singh, Son of Late Shivnandan Singh.
12. Ramjee Bhagat, Son of Late Dina Bhagat.
13. Shivjee Bhagat, Son of Late Dina Bhagat.
14. Vinod Bhagat, Son of Late Dina Bhagat.
15. Rajdeo Chaurasia, Son of Yadunandan Bhagat.
16. Lakshman Chaurasia, Son of Yadunandan Bhagat.
17. Satrugan Chaurasia, Son of Yadunandan Bhagat.
18. Raju Kumar Srivastava, Son of Vishwanath Prasad.
19. Sanjay Kumar, Son of Vishwanath Prasad.
20. Umesh Pandey, Son of Late Ram Nath Pandey.
21. Sujit Kumar Singh, Son of Atma Ram Singh.
22. Arjun Singh, Son of Atma Ram Singh.
23. Sunita Devi, Wife of Om Prakash.
24. Hareram Kumar Singh, Son of Ram Sarekh Singh.
25. Dinesh Thakur, Son of Vishwanath Thakur.
26. Mamta Devi, Wife of Rajendra Singh.
27. Santosh Kumar Singh, Son of Late Lakshman Singh.
28. Hari Madhav Singh, son of Ram Badan Singh.
29. Ram Anuj Singh, son of Atma Ram Singh.
30. Rajeshwar Singh, Son of Braj Nandan Singh.
31. Chandan Kumar, son of Rajeshwar Singh.
32. Prakash Kumar, Son of Kameshwar Singh.
33. Kameshwar Singh, son of Late Braj Nandan Singh.
34. Bimal Singh, son of Ram Badan Singh.
35. Soni Kumari, Daughter of Ram Bahadur Singh.



36. Rita Devi, Wife of Bam Bahadur Singh.
37. Vipin Kumar Singh, Son of Jeet Narayan Singh.
38. Mira Devi, Wife of Nirmal Kumar Singh.
39. Ramesh Thakur, Son of Vishwanath Thakur.
40. Sujit Kumar Singh, Son of late Raj Narayan Singh.
41. Balmati Devi, Wife of Ravindra Singh.
42. Ram Babu Singh, Son of Late Mahendra Singh.
43. Dhananjay Kr. Singh, Son of Upendra Singh.
44. Pappu Kumar Singh, Son of Nirsu Narayan Singh.
45. Jai Kishore Singh, Son of Lal Bahadur Singh.
46. Dhiraj Kumar, Son of Ram Babu Singh.
47. Anil Kumar Singh, Son of Late Baidya Nath Singh.
48. Arun Kumar Chaurasia, Son of Muni Bhagat.
49. Anil Kumar Chaurasia, Son of Muni Bhagat.
50. Arbind Kumar Singh, Son of Ram Sarekh Singh.
51. Bijay Kumar Singh, Son of Ram Sarekh Singh.
52. Vikas Kumar, Son of Late Raj Nath Singh.
53. Ram Prahlad Singh, Son of Late Rama Singh.
54. Navin Kumar Singh, Son of Ram Prahlad Singh,
55. Mritunjay Kumar Singh, Son of Late Bhubneshwar Singh.
56. Basukit Nath Singh, Son of Pradumn Singh.
57. Manjay Kumar, Son of Jagganath Singh,
58. Arun Kumar Singh, Son of Late Baidya Nath Singh.
59. Sanjay Kumar, Son of Jagganath Singh.
60. Kiran Devi, Wife of Basuki Nath Singh,
61. Sandhya Devi, wife of Pataleshwar Singh.
62. Aloka Devi, Wife of Mankeshwar Nath Singh.
63. Daisy Kumari, Daughter of Chandrama Singh.
64. Aryan Kumar, Son of Chandrama Singh.
65. Asha Devi, Wife of Chandrama Singh.
66. Chhathu Bhagat, Son of Ramdhyan Bhagat, All Resident of Village Bharpura, P.O. Bharpura, Via- Sonpur, P.S. Sonpur, District- Saran Chapra.
67. Surendra Kumar Yadav, Son of Late Chandradeep Rai, Resident of Village Gangajal, Kisan Bhawan, P.O. and P.S.- Sonpur, District- Saran Chapra.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Revenue and Land Reforms Department,



Government of Bihar, Patna.

3. The Director Cum Special Secretary, Land Acquisition Directorate, Bihar, Patna.
4. The Divisional Commissioner, Saran Division, Saran, Chapra.
5. The Collector cum District Magistrate, Saran Chapra.
6. The Deputy Collector Land Reforms, Sonpur, Saran.
7. The District Land Acquisition Officer, Saran, Chapra.
8. The Executive Engineer, Building Division, Saran, Chapra.
9. The Circle Officer, Sonpur, Saran, Chapra.
10. The General Manager Personnel, East Central Rail, Hazipur.
11. Senior Personnel Officer Recruitment East Central Rail, Hazipur.
12. The Deputy Chief Engineer Construction Digha- Sonpur Rail Project, East Central Railway, Digha, Pa

... .. Respondent/s

Appearance :

For the Petitioner/s	:	None
For the State	:	Mr. Sajid Salim Khan, SC-25
For the Railway	:	Mr. Radhika Raman, Sr. CGC
	:	Mr. Ram Tujabh Singh, CGC

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-04-2025 No one appears on behalf of the petitioner though learned counsel for the State as also Railway are present.

2. The present application has been preferred for the grant of following relief:

“For issuance of a Writ in the nature of mandamus commanding and directing the respondent authorities to pay the petitioners the entire amount of compensation of land as well as construction made thereupon which was acquired under Digha Sonpur Rail Project,



pursuant to the enquiry and assessment report submitted by the competent enquiry officer and recommendation for payment of compensation was made by the competent respondent authorities. But despite all the formalities the compensation amount of land and construction have not been paid to the petitioners without any rhyme and reason for which the petitioners are legally entitled to receive payment under the New Act. And further for a direction to the respondent railway authorities to provide service to the petitioners or their wards in lieu of the land acquisition as per the rules/Circulars/guide lines issued in this regard.

And/or issue any other appropriate Writ/Writs, order/orders, direction/directions for which the petitioners may be found just and proper for the end of justice in the facts and circumstances stated hereunder.”

3. Learned State counsel has taken this Court to paragraph 11 of the counter affidavit filed on behalf of the respondent no.5 and 7 which read as follows:



“11. That, thus it is very much clear that the enquiry report shows that the houses were constructed only after the publication of Government Notification for the acquisition of lands with an intention to get the payment of compensation money illegally which is not permissible in the eye of law or in accordance with the facts case and circumstances and thus the of the respondent authorities have committed no illegality or irregularity by not making payment as demanded against the ostentatious constructions.”

4. A perusal of the same would show that only after the government notification for acquisition of land came, the petitioner resorted to the said modus operandi.

5. However, since there is no appearance on behalf of the petitioner, the writ petition stands dismissed for non-prosecution.

(Rajiv Roy, J)

vinayak/-

U			
---	--	--	--

