

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11467 of 2017

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1. Mithilesh Prasad Sharma and Anr Son of Late Anugrah Narayan Sharma,
 2. Ranjeet Sharma alias Saheb Sharma, son of late Suryadeo Singh, All residents of Village- Nandanpura, P.O. Tehta, P.S. Makhdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Jehanabad, District- Jehanabad. null null
3. The Competent Authority-cum-District Land Acquisition Officer, Jehanabad.
4. Additional Collector-cum-Arbitrator, Jehanabad. null null
5. Circle Officer, Makhadumpur, District- Jehanabad.
6. The National Highway Authority of India through Project Implementation Unit, Gaya House No. 70/224
7. Project Director, National Highway Authority of India, Gaya, House No. 70/224 Opposite of Judicial

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.
For the Respondent/s : Mr.Rishi Raj Sinha- Sc19

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-04-2025 Heard Mr. Sanjay Kumar, learned counsel for the

petitioner and the State.

2. The present writ petition has been filed for:-

*“issuance of a writ in the nature
of certiorari to quash the order dated
27.09.2016, passed by the Additional
Collector-cum-Arbitrator, Jehanabad
(respondent no.4) in Arbitration Case No.
54/2015-16, whereby the claim of the*



petitioners for declaring the nature of their land, measuring 08.4014 decimals, appertaining to Khata no.57, plot no.400 situated in village Nandanpura, Thana No. 316, as commercial land has been arbitrarily and illegally rejected and instead the same has been declared and categorized as 'progressive residential land and for issuance of a consequential writ in the nature of mandamus commanding and directing the respondents to declare the nature of the said land of the petitioners as commercial land instead of progressive residential land' and the petitioners further pray for issuance of an appropriate writ/order/direction to which the petitioner may be found legally entitled to in the facts and circumstances of the present case.”

3. Learned counsel for the petitioners submits that they shall be approaching the competent Civil Court for the redressal of their grievance in line with the order passed in **CWJC No. 11404 of 2017 (Sarita Devi & Anr. V. State of**



Bihar & Ors).

4. In that background and on the submissions of the parties, the writ petition stands disposed of granting liberty to the petitioners to approach the competent Civil Court for the redressal of the grievance.

5. If the limitation petition is filed, the court concerned shall take into account that the petitioners were pursuing remedy since 2017 before the Patna High Court while considering the condonation petition.

6. The writ petition stands disposed of.

(Rajiv Roy, J)

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