

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12453 of 2016

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Yogendra Prasad Bhakta son of Late Chhatradhari Bhagat Resident of Village
Haribella, P.S. Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, Sitamarhi.
3. The Special Land Acquisition Officer Gandak Project Muzaffarpur.
4. The Chief Engineer, Water Resources Department, Muzaffarpur.
5. The Superintending Engineer, Shirsha Work Circle, Bagmati Nagar,
Sitamarhi, Water Resources Departm
6. The Executive Engineer, Bagmati Pramandal No.1, Sitamarhi, Water
Resources Department.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate
For the Respondent/s : Mr. Prashant Pratap, GP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-08-2025 Heard the parties.

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

*“(i) A writ in the nature of certiorari
or any other appropriate writ order or direction
for quashing the order dated 07.12.2015 passed
by the Special Land Acquisition Officer, Gandak
Project, Muzaffarpur, Whereby and Whereunder
he did not decide the matter of the petitioner on
the ground that under section 5A of the Land
Acquisition Act, it is not possible to re-hear the*



matter.

(ii) A writ in the nature of mandamus or any other appropriate writ/order or direction directing the respondents to not acquire the Raiyatee Land of the petitioner which is far away (660 feet) from the river as per estimate prepared by the respondents for Construction of Embankment of Jhim-Janurada River in the district of Sitamarhi.

(iii) A writ in the nature of Mandamus or any other appropriate writ/ order or direction directing the respondents to only acquire the Raiyatee land for Construction of Embankment on Jhim- Jamurada River in the district of Sitamarhi within 200 meter from the river as per respondents estimate prepared for land acquisition.

(iv) Any other appropriate writ/order or direction which your lordship may deem fit and proper.”

3. Mr. Ashok Kumar Mishra, learned counsel for the petitioner submits that the sole petitioner is no more and as



such, liberty be granted to his heirs to approach the Court afresh, if he/she/they so want.

4. Granting said liberty, the writ petition stands disposed of.

(Rajiv Roy, J)

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