

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11479 of 2016

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1. Sandeep Kumar Choubey and Anr Son of Sri Niwas Choubey.
 2. Mandeep Kumar Choubey @ Mandeep Choubey, son of Sri Niwas Choubey.
Both Resident of Mitralok Colony, Pandey Patti, Civil line Buxar- P.S.-
Buxar Muffasil, District- Buxar, Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, Revenue and Land Reforms, Government of Bihar,
Patna.
3. Principal Secretary, Irrigation Department, Government of Bihar, Patna.
4. The Director, Land Acquisition, Department of Revenue and Land Reforms,
Government of Bihar.
5. The District Magistrate, Bhojpur, Ara.
6. The District Land Acquisition Officer, Bhojpur, Ara.
7. The District Magistrate, Buxar.
8. The District Land Acquisition Officer, Buxar.
9. The Executive Engineer, Flood Control, Charitarban, Buxar, P.S.- Buxar
Town, District- Buxar.

... .. Respondent/s

Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Yogendra Prasad Sinha, AAG-15

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 28-07-2025 No one appears on behalf of the petitioner.

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

*“(i) To issue an appropriate writ order
or direction in the nature of mandamus
commanding the Respondents to pay the
compensation for the acquisition of land of the
Petitioners with interest and other allowances*



admissible as per law; or alternatively to remove the construction from the land of the Petitioners forthwith and restore the nature of their land to its original form and hand it over to the Petitioners. And pay rent at the market rate to the petitioners against the land which has been used by the respondents.

(ii) To issue an appropriate writ order or direction in the nature of mandamus commanding the Respondents that if they want to acquire/possess the land of the Petitioners, they should initiate a fresh proceedings in accordance with law and pay the compensation of the said land forthwith as per new rate.

(iii) This Hon'ble Court may adjudicate and hold that the action of the Respondents in using the land of the Petitioners for construction of Ganga Embankment, that too without consent or without payment of compensation to the petitioners, is an act of malafide and complete arbitrary exercise of authority/power by the respondents and the same has no authority in the eyes of law.

(iv) This Hon'ble Court may further adjudicate and hold that the land of any person cannot be utilized by any State authority/machinery without his consent or without payment of due compensation.

(v) This Hon'ble Court may further adjudicate and hold that the action of the



Respondent Authorities in not acting upon the objections/representation of the Petitioners in this matter is an act of malafide and complete arbitrary exercise of authority/power.

(vi) This Hon'ble Court may award the cost of litigation and suitable compensation to the Petitioners for the loss and damages caused on account of the illegal and arbitrary actions of the Respondent Authorities.

(vii) To grant any other relief or reliefs which the Petitioner may be found entitled to in the facts and circumstances of the case.”

3. In the forenoon also there was no appearance on call, in that background, the writ petition stands dismissed for non-prosecution.

(Rajiv Roy, J)

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