

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15049 of 2017

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Dudheshwar Singh @ Bholu Singh S/o Late Syamlal Singh @ Shyamli Singh,
R/o Village- Purainitoli, Ward No.5, P.O. and P.S.- Daudnagar, Distt-
Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, Aurangabad.
3. Executive Engineer, Road Construction Department, Road Sub-Division
No.1, Aurangabad.
4. Deputy Collector, Land Reform cum Land Acquisition Officer, Daudnagar,
Aurangabad.
5. The Circle Officer, Daudnagar, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar, Adv.
For the Respondent/s : Mr. Subodh Kumar, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-04-2025 Heard the parties.

2. The present application has been filed:

*for issuance of an appropriate is
writ, commanding the order or direction
respondent to pay compensation for the land
acquired by State of Bihar in Road
Construction Department, Land of Village,
Daudnagar, Ward No.15 Khata No.164, C.S.
Plot No.510, Area 14.83 Dec. herein after
referred as disputed land which the
respondent authorities has taken in
possession but till date not a single paise has
been paid by way of compensation and*



further for any other order, writ or direction to which the petitioner is found fit and entitled.

3. The claim of the petitioner on the basis of the report submitted by *Anchal Amin* is that the Department has taken possession of 14.83 Decimal of land but only 7.5 Decimal has been notified.

4. Learned State Counsel has taken this notice to show that in Daudnagar, Ward No. 15, Khata No. 164, C.S. Plot No. 510, 0.075 acres of land belonging to the petitioner was taken and pursuant to the undertaking given by him, which has been brought on record by way of counter affidavit relating to the same area (0.075), the payments made. Now, only on the basis of *Anchal Amin* certificate, he is claiming additional payment which is fit to be rejected.

5. The petitioner do not have answer to the said averment of the State Counsel, an undertaking given by him nowhere incorporates that contrary to the 0.075 acres of land which the respondents have taken, actually 14 acres of the land have been acquired.

6. In that background, when the notification itself was for 0.075 acres of land for which after the undertaking given by the petitioner the payments made, the said statement made in the



counter affidavit has not been refuted, no relief can be granted.

7. At this stage, learned counsel for the petitioner submits that he shall be approaching the appropriate authority for getting his land measured after payment of appropriate cost.

8. The petitioner has all the liberty to get himself satisfied regarding the land he possess/the respondents acquired. This Court cannot make any comment further having recorded the facts in the earlier paragraphs.

9. The writ petition stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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