

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14825 of 2017

1. The Union Of India
 2. The Deputy Chief Engineer Construction, E.C. Railway, Mughalsarai.
- Petitioner/s

Versus

1. Birendra Prasad Singh S/o Late Kulvansh Singh, resident of Village- Mahuli, Tola Tenduni, P.O.- Sasaram, P.S.- Bikramganj, District- Rohtas.
 2. Surendra Prasad Singh, S/o Late Kulvansh Singh, resident of Village- Mahuli, Tola Tenduni, P.O.- Sasaram, P.S.- Bikramganj, District- Rohtas.
 3. The State of Bihar through Collector, Rohtas at Sasaram.
- Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Rai, Sr. Panel Counsel Mr. Manoj Kumar Singh, C.G.C.
For the Respondent/s	:	Mr. Prasoona Sinha – Ga-2
For the Respondent No. 1 and 2	:	Mr. Binod Bihari Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-09-2025 Heard the parties.

2. This application has been filed for quashing the order and award dated 23.11.2013 passed by National Lok Adalat, Sasaram in L.A. Case No. 285 of 2013, arising out of Land Acquisition Case No. 06 of 2007, whereby the Lok Adalat has directed the Railway to pay the compensation to Respondent no. 1 at the rate of Rs. 51,000.00 per decimal along with solatium @ 30% and interest as mentioned in the award. The description of the piece of land is as follows:-

(i). R.S. Plot No. 2825 and 2325 : Khata No. 432

(ii). R.S. Plot No. 2326 : Khata No. 74

(iii) R.S. Plot No. 2328 : Khata No. 76



(iv) R.S. Plot No. 2324 : Khata No. 73

(v) R.S. Plot No. 2286 : Khata No. 745

3. The award prepared by the Collector, Rohtas at Sasaram was objected whereafter the matter was referred to the Reference Court of learned Sub-Judge, IV, Rohtas at Sasaram. This led to the L.A. Case No. 06 of 2007 (In L.A. No. 285 of 2013). The rate of the land was fixed at Rupees Fifty-one Thousand per decimal and the award issued by the Lok Adalat Sasaram (Rohtas) on 23.11.2013 bore the signature of the Junior Engineer representing the East Central Railways (petitioners herein).

4. This order came to be passed on 23.11.2013 and besides the respondent no. 1, the Junior Engineer deputed by the appropriate authority signed on behalf of the Railways in the Lok Adalat proceeding. Four years later, the present writ petition was filed alleging that the learned Sub Judge-IV illegally referred the matter to the Lok Adalat and on the basis of said illegal reference, the Lok Adalat disposed of the claim.

5. The contention of the petitioner is that they will have to make huge payment if the Lok Adalat order is to be implemented. It has further disowned the authority of the Junior Engineer on signing the award alleging that it was not in



accordance with the provisions of law as he was not authorized to enter into compromise on behalf of the Railways.

6. The respondent no. 1 has appeared *suo motu* and according to him, the Lok Adalat took a decision on the basis of compromise arrived at between the parties. The award was prepared in the year 2013. However, as an afterthought and belatedly, after four years, the writ petition. Only because, thrice the amount has to be paid, that cannot be a ground to disown the award and file the petition after four years. As such, the same be dismissed. He has further provided a webcopy of case referred by the petitioners against the Respondents vide Token No. C.W.J.C. 007812 of 2015 which remained defective.

7. The submission is that nowhere in the writ petition, it has been recorded about the said filing of the petition and, in fact, in paragraph No. 20, the organization has recorded that they have not moved this Court earlier for the aforesaid relief.

8. It is his submission that save and accept one line statement that the Junior Engineer was not authorized to sign the document, there is nothing on record to submit that appropriate steps is/was taken against the Junior Engineer and/or the State Officials were informed/enquired as to how the Junior Engineer entered into an agreement which led to the preparation of award



by the National Lok Adalat. He submits that an order has been passed in the year 2013, four years later, belated writ petition and till date on the ground that the writ petition is pending, no enhanced payment has been made.

9.The parties have provided an order of this Court in C.W.J.C. No.8708 of 2017 (Union of India & Anr Vs.Deomurat Singh and Anr.) of this Court disposed of on 16.04.2025 wherein the writ petition was dismissed holding as follows:-

“10. Having heard the parties, in the considered opinion of the Court, it is unfortunate that despite being an important organization, the petitioner, the Railways has chosen to defy the order of the National Lok Adalat. There is nothing on record to show that any step/action has been taken against the Junior Engineer or there is/are any communication between the Railways and/or the State Government nor anything has been brought on record to show that the said Junior Engineer was not authorized to appear into an agreement. Only one line statement that he was not authorized to put in his signature is fit to be neglected.

11. Four years later, the writ petition was filed and even then, there is nothing in the file/record to show that for last eight years, any step was taken by the petitioners for an early hearing of the case. The purpose was only to frustrate the order passed by the National Lok



Adalat and on query, learned counsel for the petitioners submit that as the writ petition was pending, no payment was made.

12. It is high time that the petitioner take steps, abide by the order dated 23/11/2013 passed by the National Lok Adalat in L.A. Case No. 285/2013 on the basis of compromise arrived at by the two signatories, one being the respondent no. 1 and the other, the representative of the Indian Railways. The writ petition has no merit, dismissed.”

10. This Court has heard the parties and perused the records.

11. The observation made in the case of Union of India and Anr. (*supra*) disposed of on 16.04.2025, especially paragraphs No. 10 to 12 holds ground in the present case also.

12. The petitioners after deputing an officer before the Lok Adalat cannot turn around and state that he was not an authorized officer.

13. In that background, following the orders passed in the case of Union of India and Anr. (*supra*) dismissed on 16.04.2025 (C.W.J.C. No. 8708 of 2017), the present writ application too stands dismissed.

(Rajiv Roy, J)

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