

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14944 of 2017

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

... .. Petitioner/s

Versus

1. Shiv Shankar Singh S/o Late Meghnath Singh, Resident of Village- Khadari, P.S.- Nokha, District- Rohtas.
2. Uma Shankar Singh, S/o Late Meghnath Singh, Resident of Village- Khadari, P.S.- Nokha, District- Rohtas.
3. Vijay Shankar Singh, S/o Late Meghnath Singh, Resident of Village- Khadari, P.S.- Nokha, District- Rohtas.
4. Rama Shankar Singh, S/o Late Meghnath Singh, Resident of Village- Khadari, P.S.- Nokha, District- Rohtas.
5. The State of Bihar through Collector, Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Rai, Sr. C.G.C. Mrs. Punam Kumari Singh, C.G.C.
For the State	:	Mr.Arvind Ujjwal, SC-4

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-04-2025 Heard Mr. Bindhyachal Rai, learned Senior Central Government Counsel duly assisted by Mrs. Punam Kumari Singh for the petitioner and the State as also Mr. Arvind Ujjwal, learned AC to SC-4.

2. The present petition has been preferred for the following relief/s:

(i) for issuance of a writ in the nature of



a writ of certiorari or any other appropriate writ / order / direction for quashing the order and award dated 23.11.2013 passed by National Lok Adalat, Sasaram in L.A. Case No. 283 of 2013, arising out of Land Acquisition Case No 31 of 2002, whereby the learned Lok Adalat has directed the Railway to pay the compensation to Respondent no. 1 at the rate of Rs. 8,500.00 per decimal along with solatium @ 30% and interest as mentioned in the award.

3. Learned counsel for the petitioner submits that in similar situate matter, an order has been passed in **Union of India & Anr. vs. Deomurat Singh & Anr. (C.W.J.C. No. 8708 of 2017)** disposed of on 16.04.2025.

4. The stand in the present writ petition is also that the Junior Engineer was not authorized to send the document and in that background, this Court passed the following order incorporated in paras-8 to 12 which read as follows:

8. 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.

9. 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 enhance payment has been made.

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. 279/2013 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.

5. The reasons have already been assigned and the Court opined that nothing has been brought on record to show on the point whether any action was taken against the Junior



Engineer and/or State officials were informed or not.

6. In that background, following the said order in Union of India & Anr. (supra), the writ petition stands dismissed.

(Rajiv Roy, J)

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