

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1959 of 2018

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Ram Pukar Rai Son of Late Mahendra Ray @ Mahendra Narayan Ray,
resident of Village Darba, Police Station- Tajpur Halai O.P., District-
Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Directorate of Land Acquisition, Department of Revenue and
Land Reforms, Patna- 80000
3. The Divisional Commissioner, Darbhanga, District- Darbhanga.
4. The District Magistrate at Samastipur, District- Samastipur.
5. The District Land Acquisition Officer at Samastipur, District Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Narendra Kumar, Advocate
For the Respondent/s : Mr.Dhurjati Kumar Prasad, G.P.-14

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 02-12-2025 Heard Mr. Narendra Kumar, learned counsel for the

petitioner and Mr. Dhurjati Kumar Prasad, learned G.P.-14.

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

*(i) a writ in the nature of mandamus or any
other appropriate writ, order of orders
direction commanding the respondents to
vacate the Land of Petitioner which has been
unlawfully acquired for construction of new
Government LT.L. College by them and upon
failure to do so, the respondents may be*



directed to compensate the Petitioner in light of Section 26 to 30 read with First Schedule of the Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013;
(ii) for any other relief /reliefs for which the petitioner may be found entitled in the facts and circumstances of the case.

3. The matter relates to construction of Government ITI College in the district of Samastipur and the prayer before this Court is/was to compensate him.

4. A counter affidavit has come on behalf of respondent nos. 4 and 5 duly signed by Deputy Collector, Land Reforms, Shahpur, Patori and the learned State counsel has taken this Court to paragraphs 7 and 8 to show that on 05.05.2016, the office of the Circle Officer, Patori issued general public notice inviting objection. Pursuant thereto, no objection came whereafter, this being suitable for ITI College, the Divisional Commissioner, Darbhanga Division, Darbhanga vide memo no. 868 dated 16.11.2016 approved the transfer of the land to the Labour Resources Department, Bihar for construction of Government I.T.I. College.



5. It is to be noted that the copy of the counter affidavit was served upon learned counsel for the petitioner on 21.04.2023 and there is no rebuttal to it.

6. At this stage, learned counsel for the petitioner submits that he may be given liberty to explore alternative remedy. The said liberty is always there. This Court is satisfied with the counter affidavit filed by the State respondents.

7. Granting said liberty, the writ petition is disposed of.

(Rajiv Roy, J)

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