

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19745 of 2016

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Shambhu Prasad @ Shambhu Prasad Sah son of Late Jagarnath Sah, resident of Village- Sursand, P.O. and P.S. Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.
3. The Engineer-In-Chief-cum-Addl. Commissioner-cum- Special Secretary, Road Construction Department,
4. The Collector, Sitamarhi.
5. The District Land Acquisition Officer, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar, adv.
For the Respondent/s : Mr. Narendra Kumar Singh, AC to GP-22

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-11-2025 Heard Mr. Prabhat Kumar, learned counsel for the

petitioner and the State.

2. The present application has been preferred for the
following relief(s):

*i) To command/direct the
Respondent Authorities to pay compensation
of the land acquired by Notification dated
30.08.2012 issued for the purpose of
construction of the Bihar State Highway-87
from Runni Saidpur to Bhishwa at the rate of
compensation paid to other raiyats for
acquisition of the land situated just adjacent
to of similar nature the land of the petitioner*



without making any discrimination

(ii) To grant any other relief or reliefs, to which the petitioner is entitled for.

3. The counter affidavit of respondent nos. 4 and 5 duly signed by learned District Land Acquisition Officer, Sitamarhi in paragraph 8 shows that considering the nature of the land of the petitioners, the District Classification Committee after spot verification treated it to be agricultural and residential claim was not accepted. Accordingly, payment made.

5. The further contention of learned State counsel is that if aggrieved, the petitioner should move before the Arbitrator-cum-Divisional Commissioner, Tirhut Division, Muzaffarpur for the redressal of the grievance.

6. Learned counsel for the petitioner submits that he shall be taking appropriate steps in accordance with law.

7. Granting liberty to the petitioner to approach the Arbitrator as mandated in the Act if he thinks that the land should have been put in the category of residential and not agricultural, the writ petition is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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