

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17942 of 2017

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Manoj Kumar Jha Son of Late Jagdanand Jha, Resident of Village- Sarisab
tola Naotola, P.S.- Pandad, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Revenue and Land Reforms Department,
Government of Bihar, Patna. null null
3. The Director, Land Acquisition Department of Revneue and Land Reforms,
Government of bihar, Patna.
4. The District Magistrate, Madhubani.
5. The Additional Collector, Madhubani.
6. The Special Land Acquisition Officer, Koshi Project, Sakari, Madhubani.
7. The Circle Officer, Pandaol, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan, Adv.
For the Respondent/s : Mr. Sajid Salim Khan - Sc-25

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-06-2025 Heard the parties.

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

*(i) for issuance of a writ in the
nature of Mandamus directing the
respondents to pay the compensation amount
for the land of the petitioner acquired for the
purpose of erection of canal under Koshi
Project, Sakri Madhubani in the year 2006-
2007 alongwith statutory interest as well as
pay all a missible dues in accordance with
law.*



(ii) for issuance of appropriate writ in the nature of Mandamus directing the respondents to pay the enhanced amount as calculated for the land of Agricultural category in accordance with policy decision of the Government as well as award prepared by the respondents.

(iii) for issuance of any other relief(s) for which the petitioner is entitled in the eye of law and in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that the State respondent despite taking steps for acquisition of the land have chosen not to pay a single penny to him on the basis of an objection which came from his agnate, Yoganand Jha.

4. A counter affidavit on behalf of the State has come relying upon the same objection of Yoganand Jha to record that since he is claiming for the fifty percent of the amount, no payment was made.

5. Learned counsel for the petitioner submits that the objection is only for the fifty per cent but remaining fifty percent has also been deliberately withheld by the respondents.

6. This Court fails to understand. If the documents are on record and the objection is only for the fifty per cent, why the rest fifty per cent has not been cleared in favour of the petitioner



if he is otherwise entitled to it.

7. Learned State Counsel candidly confess that if the documents are proper and objection is only for fifty per cent, the petitioner is certainly entitled for the rest fifty per cent.

8. So far as the other part is concerned regarding the objection of Yoganand Jha, the concerned authority will have to take a decision on whether the rest fifty per cent has to be cleared in favour of the petitioner or said Yoganand Jha but in no case, he can be denied the amount which he is legally entitled to.

9. The writ petition is disposed of directing the petitioner to approach the competent authority, in next eight weeks, he shall be taking a decision and clearing the amount the petitioner is entitled for in next six months.

(Rajiv Roy, J)

Vijay Singh/-

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