

**Civil Writ Jurisdiction Case No.3102 of 2025**

1. Ram Prapan Singh Son of Ram Dahin Singh Resident of Village Masuda, P.S. and P.O.- Sakri Khurd District - Arwal.
2. Budhan Singh, Son of Late Ramlal Singh Resident of village- Masuda, P.S.- Mehandia Masuda, P O.- Sakrikhurd, District- Arwal.

... .. Petitioner/s

## Versus

1. The State of Bihar through its Additional Chief Secretary, Department of Panchayati Raj Government of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
3. The District Magistrate, District- Arwal.
4. The Executive Engineer, Local Area Engineering Organisation, Work Division Arwal.
5. The Director, Panchayati Raj Department, Government of Bihar, Patna.
6. The District Panchayati Raj Officer, District- Arwal.
7. The Circle Officer, Kaler, District- Arwal.
8. The Block Panchayati Raj Officer, District- Arwal.

... Respondent/s

**Appearance :**

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| For the Petitioner/s | : | Mr. Dinu Kumar, Sr. Adv.<br>Ms. Ritika Rani, Advocate.                                            |
| For the Respondent/s | : | Mr. Himja Gautam Singh, Adv.<br>Mr. Ravi Kumar, AC to GP-13<br>Mr. Akshay Lal Prasad, AC to GP-13 |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      27-03-2025                  1. Heard learned Senior counsel for the petitioners  
Shri Dinu Kumar and learned AC to GP-13.

2. The learned Senior counsel for the petitioner submits that the land in dispute in the instant writ application pertains to Khata No.105, Plot No.439, Area 50 decimals at village Sakri Khurd, District- Arwal. The learned Senior



counsel appearing on behalf of the petitioners submits that the land in dispute is purchased land of their ancestor. It is further submitted that Jamabandi No.71/03 and Jamabandi No.36/03 were created in the name of petitioner no.1 and 2 respectively with respect to the land in dispute. It is also submitted that Jamabandi in the name of the petitioners is still in existence. It is next submitted that the authorities are carrying on with construction of Panchayat Sarkar Bhawan over the land in dispute without acquiring the same or paying compensation. It is further submitted that initially the District Magistrate, Arwal by his letter no.1700 dated 18.09.2023 had approved the land pertaining to Khata No.417, Plot No. 1161, Thana No.132, Area 50 decimal for construction of Panchayat Sarkar Bhawan. It is submitted that the land selected by the Collector was a government land but then all of a sudden the District Magistrate, Arwal vide his letter dated 27.11.2023 took a decision to get the Panchayat Sarkar Bhawan constructed over the land pertaining to Khata No.105, Thana No.132, Area 50 decimal which is raiyati land of the petitioners, for which, Jamabandi is in existence as recorded hereinabove. It is also submitted that the District Magistrate, Arwal changed his earlier decision only on the ground that the land which was earlier identified was not



passed by the Aam Sabha of Gram Panchayat, Sakri Khurd.

3. The learned Senior counsel appearing on behalf of the petitioners submits that in the event if the authorities intend to proceed with the construction of Panchayat Sarkar Bhawan over the raiyati land of the petitioners, in that event, the authorities will have to resort to acquire the land in terms of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARR Act) but without acquiring the land and paying compensation the raiyati land of the petitioners cannot be utilized for the aforesaid purpose i.e. construction of Panchayat Sarkar Bhawan. It is further submitted that the petitioners had represented before the Collector, Arwal by their representation dated 13.01.2025 (Annexure-P/8) praying therein to restrain the authorities from constructing the Panchayat Sarkar Bhawan on the raiyati land of the petitioners.

4. The learned counsel appearing on behalf of the State submits that from perusal of the representation of the petitioners dated 13.01.2025 (Annexure-8), it would manifest that the same is cryptic and vague as it does not detail the description of the land and since when the petitioners are in possession of the land, on which, the learned Senior counsel



appearing on behalf of the petitioners submits that the petitioners would file a fresh representation before the Collector, Arwal on or before 11.04.2025.

5. After hearing the learned counsel for the parties, the writ application is disposed of with a liberty to the petitioners to file a fresh representation before the Collector, Arwal detailing the essential facts and annexing the documents to show that the land belongs to the petitioners, in the event, if any representation on behalf of the petitioners is filed on or before 11.04.2025, the Collector, Arwal shall consider and dispose of the same after giving an opportunity of hearing to the petitioners within a period of one month thereafter in accordance with law.

6. It is made clear that if any representation is filed on behalf of the petitioners on or before 11.04.2025, in that event, the further construction on the land shall remain stayed until and unless the representation is decided by the Collector, Arwal.

**(Satyavrat Verma, J)**

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