

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4345 of 2019

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1. Uma Kant Singh and Anr Son of Late Anant Lal Prasad Singh resident of Village- Korchakka, Presently Village and P.O.- Satish Nagar, P.S. Pasraha, District- Khagaria.
 2. Rama Devi Wife of Late Jagrup Singh resident of Village- Korchakka, Presently Village and P.O.- Satish Nagar, P.S. Pasraha, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar and Ors Bihar
2. The Principal Secretary, Revenue and Land Reforms Department (Land Acquisition Directorate), Bihar, Patna.
3. The Director, Land Acquisition, Bihar, Patna.
4. The Chief Engineer, Bhagalpur.
5. The Collector, Khagaria.
6. The District Land Acquisition Officer, Khagaria.
7. The Special Land Acquisition Officer, Khagaria.
8. The Executive Engineer, Water Wage Division (Jal Path Pramandal) Khagaria.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Respondent/s : Mr. Rishi Raj Sinha (SC-19)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 27-02-2025 Heard learned counsel for the petitioners and

learned counsel for the State.

2. The present writ petition has been filed for the
following reliefs:-

*(i) For that the concerned
respondents may be directed to pay the
compensation amount of acquired land of
the petitioners in 1962 through Land
Acquisition Case No. 31/1962-63.*



(ii) For that the compensation amount of the acquired land of the petitioners may be paid to the petitioners at the present rate with interest related to Mouza- Saurh, Thana No. 347, Khesra No. 2244, 2221, 2310 Rakwa 0.23 acre + 0.005 acre + 0.48 acre= 0.715 acres for the petitioner No. 1 and under Mouza- Saurh Thana 347 Khesra No. 2212 area 0.04 acre for the petitioner No. 2.

(iii) For that any other relief/reliefs may also be given to the petitioner if he deserves the same.

3. Counsel for the petitioners submits that the lands of the petitioners have been acquired in the year 1962, but payment has not been made to them. Counsel further submits that from the Letter No. 186 of District Land Acquisition Officer, Khagaria dated 05.07.2008, it transpires that after taking land neither there is an administrative acceptance nor allotment nor panchat has been prepared nor it was declared. Counsel further submits that after order passed by this Hon'ble Court in different CWJCs, some of the persons were granted compensation amount but no payment was made to the petitioners.

4. Counsel for the State submits that payment of compensation has been made and those persons who were not made compensation have moved before this Court in different



C.W.J.Cs in the year 2007 then in 2012 and then in 2014. Counsel submits that the alleged retired Bandh was constructed on the request of the predecessors of the petitioners more than 60 years ago and they have benefited from the same Bandh.

5. It is further submitted that the ancestors of the petitioners had never approached at that relevant point of time, but presently the heirs of the land holders whose ancestors have given land to the State with their consent are now after 60 years claiming the compensation which are not permissible.

6. After going through the argument and considering the case, it transpires to this Court that admittedly, for the purpose of construction of Bandh, total 9.79 acres of lands were utilized by the Bihar Government in the year 1962-63 out of which about 0.715 acre of land of the petitioner No. 1 and about 0.04 acre of land of petitioner No. 2 have been acquired..

7. The first generation during their time have not raised any claim for payment of compensation and those who claimed were granted compensation. But after lapse of such a long period of about 50 years, the next generation started demanding compensation.

8. As such, this Court is of the view that there must be an end of litigation. Therefore, it is directed to the District Land



Acquisition Officer, Khagaria that those petitioners who shall represent themselves with all the relevant documents of title and possession with regard to the land in question with their fresh representation, the District Land Acquisition Officer, Khagaria shall pass a reasoned order within six weeks from the date of filing of the representation.

9. With this direction, this writ application stands disposed of.

(Dr. Anshuman, J.)

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