

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16951 of 2017

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1. Kamal Narayan Jha and Anr Son of Late Bhagwat Narayan Jha alias Bhagwat Jha, Resident of Village- Araria Sangram, P.S.- Jhanjharpur, District- Madhubani.
 2. Sunil Jha, Son of Late Bishwanath Jha, Resident of Village- Araria Sangram, P.S.- Jhanjharpur, District- Madhubani.

... .. Petitioner/s

Versus

1. The Union Of India
2. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Government
3. National Highway Authority Chairman, G 5 and 6, Sector-10, Dwarka, New Delhi.
4. Arbitrator cum Additional Deputy Collector, Land Acquisition Department, Madhubani, Bihar.
5. District Magistrate, Madhubani, Bihar.
6. District Land Acquisition Officer, Madhubani, Bihar.
7. Circle Officer, Jhanjharpur, Madhubani, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate
For the Respondent/s : Mr. Sajid Salim Khan -SC-25

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-05-2025 Heard the parties.

2. The present petition has been filed for the grant of following relief(s):

(i) For issuance of order, direction or writ of Mandamus or any other appropriate writ for directing the Respondent No. 4 Additional Collector Cum Appellant Authority, Madhubani to dispose the case 65/2011-2012, relating to payment of appropriate compensation, filed by



the petitioners for declaring the 44 decimals of petitioner's land acquired by the NHAI for purposes of construction and strengthening of NH 57 to be commercial land and to pay compensation according to law; as expeditiously as possible, the aforesaid case has been pending for about 5 years.

(ii) For issuance of order, direction or writ of Mandamus or any other appropriate writ for directing the Respondent No. 4 Additional Collector Cum Appellant Authority, Madhubani to dispose the case 65/2011-2012 in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(iii) For any other order or direction which your Lordships may deem fit in the interest of equity, justice and good conscience.

3. A simple prayer has been made by the petitioner to direct the respondent no.4, the Additional Collector-cum-Appellate Authority, Madhubani dispose of the Case No. 65/2011-12 pending before the said office.

4. Despite the writ petition of the year 2017, neither there is counter affidavit of the State nor the State counsel is able to submit whether the case has been taken to its logical conclusion or not.



5. A counter affidavit of the Union of India is on record.

6. This Court has two options, either to impose heavy cost upon the State in not filing of the counter affidavit and/or getting a telephonic communication from the concerned respondent on whether the case has been disposed of or not and alternatively to direct the said respondent, the Additional Collector, Madhubani to take the matter to its logical conclusion if still not concluded.

7. Cautioning the State counsel to ensure the early disposal of the writ petition and not hinder the process by not even getting an information, the writ petition is disposed of directing the said respondent no.4 to immediately dispose of the Case No. 65/2011-12 if still has not been disposed of.

8. The writ petition stands disposed of.

(Rajiv Roy, J)

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