

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13491 of 2018

Shiv Nandan Singh Son of late Hira Lal Singh Resident of Banarpur, P.O. Banarpur, P.S. Buxar Mufassil, District- Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Land Reforms Department, Government of Bihar, Patna.
2. The District Collector, Buxar.
3. The District Land Acquisition Officer, Buxar.
4. The Deputy Collector, Land Reforms, Buxar, District- Buxar.
5. The Circle Officer Chausa, Anchal Chausa, District- Buxar.
6. The General Manager of Construction Company, N.T.P.C. Chausa Office, Ambedkar, Buxar, District-Buxa
7. Nageshwari Devi Wife of Sri Jagdish Singh Resident of Kocharhi, P.O. Sarenja, P.S. Rajpur, District- Buxar.
8. Janki Devi wife of Sri Budhiram Singh Resident of Chandesh, P.O. Chandesh, P.S. Kurhani, District Kaimur at Bhabhua.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Mohan Singh, Advocate
For the State	:	Mr. Manoj Kumar Sinha, AC to SC 19
For the Respondent Nos. 7 & 8	:	Mr. Rajiv Ranjan Kr. Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 07-07-2025 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Respondent Nos. 7 & 8.

2. The present writ petition has been filed for commanding the respondent not to make payment of the awarded amount to respondent Nos. 7 and 8 in lieu of the petitioner's land acquired for the establishment of the Thermal Power Project at Chausa, District Buxar.



3. Learned counsel for the petitioner submits that respondent nos. 7 and 8 are strangers, but in the name of the petitioner's sister, they have received payment for the acquisition of land for the Thermal Power Project at Chausa, District Buxar. Counsel further submits that the family tree has been annexed as Annexure-1, which shows that Hira Lal Singh had only one son, namely Shiv Nandan Singh. Therefore, he submits that the petitioner is the sole person entitled to receive the entire compensation amount.

4. Counsel further submits that the petitioner has also approached the BLDR. He states that the private respondents have filed Title Partition Suit No. 35 of 2025, which is still pending, but payment has already been made to the private respondents. Counsel further submits that all these actions have been carried out in connivance with the Land Acquisition Officer, Buxar. Therefore, the petitioner has directly approached this Court seeking a direction to restrain the respondent authorities from making any further payment to the private respondents.

5. Learned counsel appearing for respondent nos. 7 and 8 submits that a counter affidavit has been filed, in which the private respondents have annexed a family tree, a certificate



issued by the local Mukhiya, and another certificate issued by the Gram Kachahri at the instance of the Sarpanch. These documents include a genealogical table showing that Late Hari Lal Singh had one son (the petitioner) and two daughters (respondent nos. 7 and 8), which is annexed as Annexure R/C. Counsel further submits that the petitioner and respondent nos. 7 and 8 are full brother and sisters, and a Title Partition Suit is pending for division of the property. He further submits that the private respondents have received a portion of the land acquisition compensation and they have no objection if the petitioner receives one-third share of the compensation amount.

6. Learned counsel for the State submits that the State has no objection to the payment of one-third share of the compensation to the petitioner.

7. In response, learned counsel for the petitioner submits that the petitioner has not received a single penny towards the compensation amount.

8. In the present facts and circumstances, this Court hereby directs the respondent authorities to make payment of equal amounts to all three claimants. As mentioned by parties, the payment has been made to one co-sharer. Therefore, it is directed that equal amount be paid to rest two co-sharers.



However, the rest amount, if any, shall be disbursed in accordance with the final decision in the pending Title Partition Suit.

9. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

(Dr. Anshuman, J)

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