

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3121 of 2025

1. Md. Badrool Hasan Son of Late Md. Karim, Resident of Hasan Market, Ward No. 10, Tikulia, Post and Police Station - Chanpatia, District - West Champaran.
2. Zakia Sitara, Wife of Late Md. Badrool Hasan, Resident of Hasan Market, Ward No. 10, Tikulia, Post and Police Station - Chanpatia, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Public Health Engineering Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Public Health Engineering Department, Government of Bihar, Patna.
3. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
4. The District Magistrate, West Champaran, Bettiah.
5. The District Land Acquisition Officer, West Champaran, Bettiah.
6. The Superintending Engineer, Flood Control and Water Conservation Circle, Motihari.
7. The Executive Engineer, Sikrahana Dam, Acquisition Division, Muzaffarpur.
8. The Executive Engineer, Sikrahana Dam Division, Motihari.
9. The Circle Officer, Chanpatia, District West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.
For the Respondent/s : Mr. Sarvesh Kr. Singh, Sr. Adv. (AAG-13)

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 27-02-2025 Heard the parties.

2. The present writ application has been filed by the
petitioners for following reliefs:-

“For issuance of writ in the nature of mandamus directing the respondents to disclose the proceeding under which the land of the petitioners was acquired for widening the boundary of



Sikrahana River and construction of Dam.

(ii) For directing the respondents to demarcate the land as per old map and to repair / construct the permanent flank of Sikrahana River to prevent any mishap in future in place of widening the boundary and constructing the new dam.

(iii) For directing the respondents to acquire the land and pay the fair compensation as per present market rate of the land, if, the widening of Sikrahana River/Dam is at all required in Chanpatia Circle.

(iv) For issuance of writ refraining the respondent from any demarcation or demolition of house/shops of the petitioners during the pendency of the instant writ petition.”

3. By referring the case law reported in 2015 (3)PLJR 873, (*Ashok Kumar Jaiswal & Ors. Vs. State of Bihar*) learned counsel for the petitioners has submitted that no notice has been served upon them and without serving notice, their house has been marked for widening of *Sikrahana Dam*.

4. Though a cutting of newspaper, in which, the news has been published for widening of the Dam has been filed but except that, no paper/documents has been filed, by learned counsel for the petitioners to show that the said land has been marked for widening of the Dam.

5. If the submissions of the learned counsel for the petitioners are true, the authorities concerned, cannot demolish



the house of the petitioners for widening of the Dam, without adopting due process of law.

6. With the aforesaid observation, this writ application stands disposed of.

(Nawneet Kumar Pandey, J)

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