

Civil Writ Jurisdiction Case No.3154 of 2025

- Petitioner/s

1. The State of Bihar through Additional Chief Secretary, Revenue and Land Reforms Department, Bihar Patna.
2. The Additional Chief Secretary, Revenue and Land Reforms Department, Bihar, Patna.
3. The Secretary, Panchayati Raj Department, Bihar Patna.
4. The Collector, Madhubani.
5. The Deputy Collector Land Reforms, Jhanjharpur, Madhubani.
6. The Sub-Divisional Officer, Jhanjharpur, Madhubani.
7. The Block Development Officer, Gram Panchayat Raj, Lakhnaur, Madhubani.
8. The Circle Officer, Lakhnaur, Madhubani.
9. The Executive Engineer, Building Construction Division, Madhubani.

... .. Respondent/s

For the Petitioner/s : Mr. Avinash Kumar, Advocate
For the Respondent/s : Mr. Standing Counsel (28)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2. The present writ petition has been filed by the
s with the following reliefs:-

(i) For issuance of appropriate
Writ in the nature of Certiorari to quash the



order contained in memo no.-3691 dated 16.12.2022 passed by the Collector, Madhubani, by which approval for inter-departmental transfer of 60 decimal of agricultural land of the petitioners falling under Mauza- Lakhnaur, Thana No.-247, Khata No.-1002(Old)/ 2992(New), Khesra No.-1553(Old) 4008(New), purchased by his grandfather through the registered Sale-Deed from the erstwhile owner, has been granted for construction of Panchayat Bhawan for Gram Panchayat Raj Lakhnaur without adopting legal procedure like acquisition or by any authority of Law as enshrined under Article 300A of the Constitution of India.

(ii) For further kind indulgence of this Hon'ble Court to direct the respondent authorities to pay the compensation as on 26.11.2024 they came with the JCB and destroyed the standing crop of paddy.

(iii) For further kind indulgence of this Hon'ble Court to direct the respondents to stop the construction work with immediate effect and not to disturb over the peaceful possession of the petitioners by maintaining the status quo over the said land in question during the pendency of the instant writ petition.

(iv) For any other relief/reliefs



which the Hon'ble Court may grant in general interest."

3. Learned Counsel for the petitioners submits that the grand father of the petitioner has purchased the said land in the year 1982-83 by virtue of registered sale deed and since then they have got entry of those lands in their name and current rent receipt is also granted by the State in the name of grand-father of the petitioners. Counsel submits that the State authorities are trying to dispossess the petitioner and want to construct Panchayat Bhawan on his raiyati land. Counsel submits that in this regard he has filed representation to the District Magistrate, Madhubani also which is Annexure-8 series/page-56.

4. Learned Counsel for the State submits that passing order on the representation is required.

5. In the light of the submissions made by the petitioners, this Court hereby dispose off this writ petition directing the District Magistrate to pass a reasoned and speaking order on the representation filed by the petitioners in the light of letter No.925(6) dated 11.11.2014 issued by the State Government.

6. It is made clear that prior to passing the order the District Magistrate shall provide opportunity of hearing to the petitioners either in person or through their counsel and the final



order shall be passed within 90 days.

7. Till passing of the final order, no construction shall be made on the petitioners’ land pertaining to Mauza Lakhnaur, Thana No.247, Khata No.1002(old)/2992(new), Khesra Nos.1553(old)/4008(new) and 1271(old)(new) (Annexure-P/1 Series).

(Dr. Anshuman, J)

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