

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22810 of 2018

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Ravilal Sah Son of Late Dhaniklal Sah resident of village South Maheshwari
Ward No. 18, Jogbani, P.S. - Jogbani, District - Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Addl. Secretary, Revenue and Land Reforms Deptt. Govt. of Bihar, Patna.
3. Director, Land - Acquisition Directorate, Bihar, Patna.
4. District - Magistrate cum Collector, Araria.
5. District Land Acquisition Officer, Araria.
6. Anchal Adhikari, Forbesganj District- Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate
For the State : Mr. Sajid Salim Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-12-2025 Heard the parties.

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

*“(i) an appropriate writ, order or
direction be issued to revise the classification of
the land of the petitioner, detailed herein below,
which has been acquired under the provisions of
land acquisition Act, for the purpose of
construction of Indo-Nepal 2-lane Border Road.*

*(ii) an appropriate writ, order or
direction be issued commanding the respondents*



to make payment of the amount of compensation after duly revising the classification of the land of the petitioner which is situated on the flank of DB 89 road within Ward No. 18 (South Maheshwari) of Jogbani Nagar Panchayat.

(iii) any other relief or reliefs to which the petitioner is entitled.”

3. The matter relates to the Mauza South Maheshwari, Khata No. 118, Plot No. 1695, 1696 and 1697 (area 52 decimal 500 sq. kar) under Jogbani Nagar Panchayat which was under acquisition for the purpose of construction of Indo-Nepal two lane border road.

4. The aforesaid land acquisition case led to the payment of Rs. 63 Lakhs to the petitioner which is 80% of the total amount of Rs. 1 Crore 24 Lakhs (as per his share).

5. Now before this Court, the writ petition has been filed stating that he is not satisfied with the category that has been chosen by the respondent, it should have been residential instead of agricultural.

6. The State by filing counter affidavit duly served upon the petitioner on 16.03.2023 has supported its case that the petitioner's land is agricultural one and he received the



compensation amount without objection. Further, in paragraph no.15, it has been recorded that if aggrieved, the petitioner has remedy under section 64 of the Land Acquisition, Rehabilitation and Resettlement Act, 2013 (henceforth for short 'the Act').

7. As recorded above, copy of the counter affidavit was served in the year 2023 and there is no rebuttal, the petitioner if still aggrieved, can take recourse to section 64 of 'the Act'.

8. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

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