

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19396 of 2016

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Umesh Kumar Jha Son of Baleshwar Garain Resident of Village- Sherpur,
P.S.- Vidyapati Nagar, Distt- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Collector, Samastipur.
3. The Special Land acquisition Officer, koshi Project , Darbhanga.
4. The Superintending Engineer Flood Control, Samastipur.
5. The Executive Engineer Flood Control, Samastipur.
6. The Sub-Divisional Officer, Flood Control, Dalsinghsarai at Samastipur.
7. The Land acquisition Officer, Samastipur.
8. The Circle Officer , Vidyapati Nagar, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Advocate
For the Respondent/s : Mr.Viveka Nand Singh, Gp-18

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2025 Heard Mr. Sabal Kumar Jha, learned counsel for the

petitioner and Mr. Viveka Nand Singh, learned AC to GP-18.

2. The present petition has been preferred for the
following relief/s:

*(i) for direction to the respondents concern
to grant compensation, damage and interest
to the petitioner as the self acquired land of
the petitioner has been acquired by*



*Government of Bihar for the purpose of construction of Chingiya ring "**Bandh**" in the village Sherpur, P.S-Vidyapati Nagar, Dist-Samastipur but the nothing compensation, damage and interest of the land (the full description of the land given here in after) has paid to the petitioner. And/or pass such any other orders/ order, directions/direction, writs/ writ, for which the petitioner is found to be entitled in the facts and circumstances of this case.*

3. Two counter affidavits have been filed by the respondents, one is by respondent no.1 and 3 duly signed by Special Land Acquisition Officer, Koshi Project, Darbhanga and the other is by respondent 2, 7 and 8 signed by District land Acquisition Officer, Samastipur.

4. As per the two counter affidavits, the last being of the year 2019, the respondents are throwing the balls in each other's court so that the amount is released and the land holders are paid the compensation. The last letter is dated 25.07.2019 issued by the District Land Acquisition Officer, Samastipur to the Special Land Acquisition Officer, Koshi Project, Darbhanga



requesting him to immediately release the amount so that the land holders are paid the amount (Annexure-F).

5. The counter affidavit of the respondent nos. 1 and 3 by the said Special Land Acquisition Officer, Koshi Project, Darbhanga on the other hand talks about the process being taken to acquire the land and to pay the compensation. As recorded above that the two counter affidavits were filed in the year between 2017 and 2019. No further development has been brought on record.

6. In that background, the writ petition is disposed of allowing the petitioner to approach the District Collector, Samastipur (respondent no.2) who shall look into the matter, summon the respondent nos. 3 and 7 namely the Special Land Acquisition Officer, Koshi Project, Darbhanga and the District Land Acquisition Officer, Samastipur respectively and take necessary steps.

7. The petitioner be noticed and if his claim has still not been redressed and is entitled to the compensation and/or acquisition has taken place, the same shall be released by 31.12.2025.

8. It is made clear that if the petitioner is entitled to the amount and the payment has not been made from



01.01.2026, he shall be entitled to 12% interest per annum on the compensation amount that has been fixed against him.

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

(Rajiv Roy, J)

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