

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16808 of 2016

Om Prakash Singh son of Late Ram Swarup Singh resident of Mohalla Janakpur Near Binowa Ashram, P.S. Muffasil, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner, Magadh Division, Gaya, Bihar.
3. The District Magistrate, Gaya, Bihar.
4. The District Land Acquisition Officer, Gaya, Bihar.
5. The District Sub-Registrar, Gaya, Bihar.
6. The Director General, Border Security Force, Ministry of Home Affairs, Government of India, New Delhi

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Surendra Kumar Singh, Sr. Advocate
For the Respondent/s	:	Mr.Rishi Raj Sinha-Sc19
For UOI	:	Ms. Radhika Raman, Sr. CGC
		Mr. R.K. Sharma, CGC
		Mr. Lokesh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-11-2025 Heard the parties.

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

(i) for quashing the land acquisition proceedings in relation to the acquisition of 47.97 acres of land in which 0.04 acre of land of the petitioner situated in village Iguna, Thana no.310, Anchal Manpur, P.S. Muffasil, District Gaya acquired pursuant to the notifications dated 19.8.2013 and



20.8.2013 published in the daily news paper "Prabhat Khabar" dated 31.8.2013 and 1.9.2013 respectively declaring the land in question needed for public purpose, namely construction of quarters for Border Security Force by invoking urgency clause under Section 17(4) of the land Acquisition Act, 1894 (Act 1 of 1094) as amended by Land Acquisition (Bihar Amendment) Act, 1960 (11 of 1961) and directing the State Government/authorities to make over the vacant possession of the land to the petitioner;

(ii) for quashing the Land Acquisition Proceedings in relation to the land of the petitioner acquired pursuant to the notification dated 19.8.2013 and declaration dated 20.8.2013 under the provisions of Land Acquisition Act 1894 (hereinafter referred to as the 1894 Act") on account of the fact that the award in relation in the land of the petitioner under Section 11 of 1094



Act has nit been made within a period of two years from the date of publication of the declaration as a result of which the entire proceedings for the acquisition of the land in question has lapsed by virtue of Section-11-A of 1094 Act;

(iii) for directing the respondents to initiate a fresh proceeding, if they so desired, in respect of the land of the petitioner in terms of the Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation and Resettlement Act, 2013 ((30 of 2013) (hereinafter referred to as the "Act 30 of 2013") and to pay compensation in accordance with the said Act and further directing that even if it is deemed that award has been made, though in fact no award under Section 11 of 1894 Act has been made, the land acquisition proceedings have lapsed as far as the land of the petitioner is concerned since the respondent State has neither paid the compensation nor even



*determined the same in accordance with
Section-24 of Act 30 of 2013;*

*(iv) for issuing any other
writ/writs/order/orders/direction/directions
as may be deemed fit in the facts and
circumstances of this case.*

3. In the case of Bachoo Singh vs. The State of Bihar
& Ors. (C.W.J.C. No. 12765 of 2016), the writ petition was
disposed of on 18.08.2025 and paragraphs 3 and 4 read as
follows:

*3. Pursuant to the order dated
28.07.2025, the District Land
Acquisition Officer, Gaya, namely,
Ravindra Ram is present.
According to him, the counter
affidavit was filed by his
predecessor and upon knowledge,
he immediately came forward to file
another affidavit. He has accepted
that the amounts have not been
paid to the respondent Bachho
Singh and six other persons,*



namely, Uday Singh and Vinay Singh both sons of late Ganesh Singh, Gauri Shankar Singh, Vinod Singh and Jay Singh all sons of late Dinesh Singh and Dharmendra Singh son of late Badri Singh. He is taking all steps to see to it that after verifying the documents, the payment is made to the land holders.

4. On the basis of the categorical statement made by the District Land Acquisition Officer, Gaya himself, this Court deems it appropriate to dispose of the petition allowing the stake holders to appear before the concerned Officer on 01.09.2025 along with all documents, who shall be duty bound to clear the amounts and if found otherwise, shall have to pass a reasoned order so that the



*awardees should come to know the
reason why payment has not been
made.*

4. In that background, the writ petition too is disposed of allowing the petitioner to approach the office District Land Acquisition Officer, Gaya by 15.12.2025 alongwith all the documents who shall be duty bound to look into the matter and clear the amount and if found otherwise, to pass a reasoned order so that the awardees can agitate the matter, if he/she/they so want.

5. The entire exercise is to be completed by 31.01.2026 failing which if the petitioners are entitled to the award, an additional amount with 12% interest shall be paid from 01.02.2026 till the date of actual payment is made.

6. With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

Ravi/-

U			
---	--	--	--

