

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5826 of 2025

1. Manoj Kumar @ Dr Manoj Kumar S/o Late Ramayan Mishra R/o 22 B Patliputra Colony, P.S Patliputra, Dist- Patna
 2. Vinita Trivedi Wife of Manoj Kumar @ Dr Manoj Kumar R/o 22 B Patliputra Colony, P.S Patliputra, Dist- Patna
- Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Revenue and Land Reforms Department
2. National Highway Authority of India x
3. Competent authority cum District Land Acquisition Officer, Patna
4. District Magistrate, Patna
5. Arbitrator cum Divisional Commissioner, Patna Division

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.
For the Respondent/s : Mr. Standing Counsel (28)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-04-2025 Learned counsel for the petitioner, Mr. Manoj Kumar Pandey undertakes to remove the defects pointed out by the office. He further prays for and is allowed to implead the Arbitrator-cum-Divisional Commissioner, Patna Division, Patna as respondent no. 5 in course of the day.

2. Heard the parties.

3. The present application has been preferred for the following relief(s):

(i) Quashing the whole land acquisition proceedings initiated under Land Acquisition Case No. 58 of 2020-21 pending before the District land Acquisition Officer,



Patna for acquiring the plots of lands of the petitioner.

(ii). quashing the notices dated 06.12.2023 passed in LA Case No. 58 of 2020-21 which was never served upon the Petitioner;

(iii). commanding the Respondent authorities to enhance the award granted by the District Land Acquisition Officer after considering the nature of the land as well as the market value of the acquired plots of land;

(iv). commanding the Respondents to compensate the Petitioner monetarily for the damages caused by them by demolishing the boundary walls of the plots of the Petitioner arbitrarily, forcefully and illegally without issuing any notice.

(v). Any other relief/reliefs which Your Lordships may deem fit and proper in the facts and circumstances of the case.

4. The matter relates to Danapur-Bihta elevated road and pursuant to the Land Acquisition Case No. 58 of 2020-21, the notices were issued on 06.12.2023 and the matter has been taken



to its logical end. The petitioners claim to be having land at **Bishunpura, Bihta** and the details is/are hereunder:

Khata No.	Khesra No.	Area (in acres)
224	371	0.075
340	368	0.1
227	372	0.005
202	370	0.048

5. It is the contention of the learned counsel that the notice issued on 06.12.2023 was never received by the petitioners.

6. Learned State Counsel submits that the matter has been taken to its logical conclusion and if the petitioners have grievance relating to compensation amount, they can very well approach the newly added respondent, **the Arbitrator-cum-Divisional Commissioner, Patna Division, Patna** for compensation.

7. This Court is also of the view that lots of water has flown down the ganges relating to the construction of the Danapur-Bihta elevated corridor construction and the actual construction has also started. The petitioners claim to be owner of the land which has come under the said corridor and in that background, if they provide sufficient documents to show their bonafide, as notice was issued to them on 06.12.2023, the concerned authorities are



duty-bound to look into it and pass an appropriate order. Further, it is found that they are entitled to the compensation, the same has to be paid immediately.

8. Learned counsel for the petitioners submit that he shall be approaching the newly added respondent in next four weeks. If the same is filed within the aforesaid period, the Arbitrator-cum-Divisional Commissioner, Patna (respondent no. 5) shall take up the matter and pass a positive/comprehensive order in next four months.

9. Learned counsel for the petitioner submits that after the dust settled, once again they are taking steps for demarcating their another piece of land.

10. Learned State Counsel submits that, that is another issue and the petitioner is free to take up the matter before the appropriate authority.

11. In case, any further development is taking place as contended by the petitioner, they have the remedy to approach appropriate authority in accordance with law.

12. The writ petition stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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