

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7334 of 2024

1. Rajendra Upadhyay S/o Late Vrajanandan Upadhyay @ Brij Nandan Upadhyay, R/o Village- Jitan Chapra, Dulinbazar, P.R. Rajipur, P.S. - Rani Talab, District - Patna.
2. Shiv Nandan Upadhyay, S/o Late Vrajanandan Upadhyay @ Brij Nandan Upadhyay, R/o Village - Jitan Chapra, Dulhinbazar P.O. Rajipur, P.S - Rani Talab, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Land Acquisition Directorate Bihar Patna.
3. The Director, Land Acquisition and Rehabilitation, Water Resources Department, Bihar, Patna.
4. The Commissioner of Rehabilitation and Resettlement, Bihar, Patna.
5. The Chief Engineer, Water Resources Department, Bihar, Patna.
6. The Collector, Patna, District - Patna.
7. The Special Land Acquisition Officer, Patna Flood Protection Project, Patna.
8. The Superintending Engineer, Ganga Sone Flood Protection Circle, Patna.
9. The Executive Engineer, Sone Flood Protection Division, Bihta, Patna.
10. The Executive Engineer, Sone Canal Division, Khagaul Patna.
11. The Land Acquisition Officer, Water Resources Department, Anisabad, Patna.
12. The Sub Divisional Officer, Sone Flood Protection Sub-division, Bihta, Khagaul, Danapur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar Ms. Sakshi Bhatnagar
For the Respondent/s	:	Mr. Government Pleader 4 Mr. Manoj Kumar- AC to GP-4

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-01-2025 1. Heard learned counsel for the petitioners and

learned AC to GP-4 for the State.



2. The learned AC to GP-4 for the State, at the outset, submits that the writ application is not maintainable in view of Annexure- P/13 at Page-55 of the writ application for the reason that petitioners for the same relief had earlier moved this Court by filing CWJC No.7112 of 2015 and the said writ application was permitted to be withdrawn with liberty to the petitioners to assert their claim in appropriate civil proceedings as the claim is in respect of compensation of land acquired by the State. The learned counsel for the State thus submits that once the petitioner had moved this Court seeking the relief claimed in the instant writ application and the said writ application was permitted to be withdrawn, as such, the second writ application for the same relief is not maintainable. It is also submitted that petitioners in terms of the liberty granted by this Court in CWJC No.7112 of 2015 ought to have moved before an appropriate forum for redressal of their grievances as raised in the instant writ application.

3. The learned counsel appearing on behalf of the petitioners is not in a position to rebut the said submission of the learned counsel appearing on behalf of the State, as



such, the Court finds no merit in the writ application.

4. The writ application is dismissed accordingly.

(Satyavrat Verma, J)

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