

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6219 of 2025

1. Nawal Kishore Prasad Son of Ram Prakash Yadav, resident of H.N-24 Ward No.1 Goshala Road, Near - F.C.I, P.O. and P.S.- Jai Nagar, District- Madhubani.
2. Manoj Kumar Diwakar, Son of Ram Charitra Yadav, resident of Village - Belhi, P.O. - Parwa, P.S. - Jai Nagar, District- Madhubani.
3. Manoj Kumar Chaudhary, Son of Teji Lal Chaudhary, resident of Ward No. 1 Bela Near Bela Chowk, P.O. - Bela, P.S.- Jai Nagar, District - Madhubani.
4. Shyam Sundar Gupta Son of Gopal Sah, resident of Village - Murki Ward No. 9, P.S. - Jai Nagar, District- Madhubani.
5. Sri Vishwanath Purvey Son of Late Ramavtar Purvey, resident of Ward No. 2, Main Road Jai Nagar, P.O. and P.S. - Jai Nagar, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Revenue and Land Reforms Government of Bihar, Patna.
2. The Commissioner, Darbhanga Commissioner, Darbhanga.
3. The Collector, Madhubani.
4. The Collector cum District Registrar, Madhubani.
5. The Deputy Collector, Revenue and Land Reforms Department, Madhubani.
6. The District Land Acquisition Officer, Madhubani.
7. The Circle Officer, Jai Nagar, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Respondent/s : Mr. Gyan Prakash Jha, GA-7

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 28-04-2025

In the instant petition, petitioners seek
following relief(s):-



I) For that the direction may be given to the concerned respondents to enquire the land whether the acquired land of the petitioners is residential or commercial or agricultural since the land of the petitioners have been acquired showing agricultural land.

ii) For that further direction may be given to the concerning respondents to be enquired regarding real owner of the acquired land because the land of some petitioners have been shown to fake owner of the acquired land of the petitioners.

III) For that direction may be given to the concerned respondents to pay compensation amount against the acquired land of petitioners by way of enquiry regarding real owner as well as nature of land.

IV) For that stay may be granted till the submission of enquiry report regarding real owner of the acquired land as well as whether the land of petitioners are residential or commercial or agricultural land.

V) For that any other relief/reliefs may also be provided to the petitioners if they deserves the same.



2. Learned counsel for the petitioners submits that purchased land of the petitioner no. 1 has been acquired for the conversion of Kamla Bear Baraze by primary notification no. 30 of 2013 under Section 11(1) of the Act under Mauza Belhi Thana No. 119, Revenue P.S. and Anchal Jai Nagar, District Madhubani but the name of petitioner no. 1 has not been mentioned in the said notification rather the name of fake owner is mentioned whereas the same land stands in the name of the petitioner no .1 and his sons namely Anubhav Kumar and Ujjawal Kumar. He further submits that the details of land of the petitioner no. 1 and his sons are as below:-

Khata	Khesra	Area	Raiyat
2733	2853	2 Katha	Anubhaw
3085	1884		Kumar
3085	1886	6 katha 18 dhurs	Anubhaw
			Kumar
			Ujjawal
			Kumar
4233	1885	2 Katha 2 dhur	Anubhav
860	1851		Kumar



3. He further submits that the land appertaining to Khata No. 775, Khesra No. 1741, Area 3 katha, Raiyat Ram Charitra Yadav belongs to father of the petitioner no. 2. He further submits that the land of the petitioner no. 2 which has been acquired for conversion of Kamla Bear Baraze which is residential nature of land but in spite of that the said land in question has been shown as agricultural nature of land in the list of the said notification. He further submits that land appertaining to Khesra No. 8909, 8903, Area 3 katha, belongs to the petitioner no. 3. He further submits that the land of the petitioner no. 3 is residential nature of land, however, it has been acquired showing agricultural nature of land. He further submits that some portion of the land stands in the name of petitioner no. 3 and remaining portion of the said land stands in the name of the another fake owner. He further submits that land appertaining to Khata No. 2464, 2858, Khesra 8908, Area 1 katha 11 dhur belongs to the petitioner no. 4. He further submits that said land of the petitioner no. 4 has been acquired showing agricultural nature of land whereas the land of the petitioner no. 4 is residential nature of land. He



further submits that land appertaining to Khata No. 709, Khesra No. 1749, 1930, Area – 2 katha belongs to the petitioner no. 5. He further submits that the land of the petitioner no. 5 has also been acquired for the conversion of Kamla Near Baraze showing agricultural nature whereas the nature of the land of the petitioner no. 5 is residential in nature.

4. Learned counsel for the petitioners submits that the similar and identical matter has already been decided by a co-ordinate Bench of this Court in C.W.J.C. No. 18652 of 2023 and the present matter is squarely covered by the said decision.

5. Learned counsel for the State does not have any objection to the said submissions made by the learned counsel for the petitioners. He further submits that petitioners may represent their grievance by filing separate representations before the competent authority and the same will be looked into by the competent authority.

6. Considering the facts and circumstance of the case and the arguments advanced on behalf of the parties, the present writ petition is disposed of with liberty



to the petitioners to represent their grievance by filing their separate representations before the competent authority within a period of four weeks from the date of receipt of this order. If petitioners represent their grievance within the stipulated period, the competent authority shall consider and pass appropriate order in accordance with law, expeditiously preferably within a period of four months from the date of receipt of the order, after giving due opportunity of hearing to the parties concerned.

(Alok Kumar Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	30.04.2025.
Transmission Date	N/A

