

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10216 of 2019

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Rajesh Jaiswal @ Rajesh Kumar Jaiswal Son of Late Hridaya Narain Bhagat
Resident of Village- Matiyari, P.O.- Deohaliya, P.S.- Ramgarh, District-
Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Kaimur at Bhabhua.
3. The Sub Divisional Officer, Kaimur at Bhabhua.
4. The District Land Acquisition Officer, Bhabua Kaimur.
5. The Superintending Engineer, Rural Works Department, Kaimur at Bhabua.
6. The Executive Engineer, Rural Works Department, Ramgarh, Kaimur at Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Pandey, Adv.
For the Respondent/s : Mr. Sajid Salim Khan (SC25)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 07-08-2025

Heard learned counsel for the petitioner and
learned senior counsel Mr. Sajid Salim Khan for the State.

2. The present writ application has been filed by
the petitioner demanding payment of award amount for the 21
decimals land acquisition of the land of petitioner pertaining to
Chak Khata No.54 hack Plot No.532 corresponding to R.S.
Khata No.54, R.S. Plot No.624 out of its total area 49 decimal
of land is recorded in the name of tenant in Khatian.

3. Counsel for the petitioner submits that in the
said plot, total area 49 decimal of land out of which 21 decimal



was subject to encroachment for construction of road. He further submits that he has filed his representation before the Land Acquisition Officer, but no decision has been taken. He further submits that the writ has been filed before this Court since 2019, but counter-affidavit has also not been filed.

4. Learned senior counsel for the State raised preliminary objection and submits that according to the pleading of the petitioner, the road has been constructed in the year 2009-10 and the present writ petition has been filed in the year 2019 even after lapse of about 9-10 years. He further submits that at the time of construction, the petitioner becomes completely silent and sat over the matter, but after 9 years, he has come before this Court demanding compensation, is not sustainable in the eye of law.

5. Senior counsel further submits that the reason for delay filing has also not been pleaded in the writ petition.

6. After hearing the parties, it transpires to this Court that the representation of the petitioner is still pending and no decision has been taken by the authorities concerned on the one hand, but on the other, it transpires to this Court that in the representation, petitioner has not explained about the details of the title of the said land.



7. As such, the present writ petition is hereby disposed off directing the petitioner to file a fresh representation with all supportive documents relating to his right, title and possession of the land in question before the District Land Acquisition Officer, Bhabua, Kaimur (respondent No.4) showing himself as title holder connecting either by way of purchase or acquiring his right through cadastral survey or through respective title suit, if any and respondent No.4 upon receiving the same within 30 days from today, shall direct the Circle Officer to verify the same and after fresh measurement, appropriate order shall be passed by the respondent No.4 within 9 months from the date of production of this order.

8. With the aforesaid observations, the present writ application stands disposed off.

(Dr. Anshuman, J.)

Prakashmani/-

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

