

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9420 of 2025

Md. Anwarul Haque Son of Late Hanif, Grandson of Late Sheikh Qurban,
Resident of village- Banbhag, Tola- Kolah Toli, Ward No. 12, Nagar
Panchayat Amour, at P.O. and P.S.- Amour, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Road Construction Department (RCD) Government of Bihar, Patna, Pin Code- 800001.
3. Director Road Construction Department (RCD) Government of Bihar, Patna.
4. Engineer-in-Chief, Head Quarters Road Construction Department (RCD) Government of Bihar, Patna.
5. Chief Engineer Road Construction Department (RCD) North Bihar Range, Patna.
6. Superintending Engineer (SE) Road Construction Department (RCD) Road Circle, Purnea.
7. Executive Engineer Road Construction Department (RCD) Purnea.
8. Collector, Purnea.
9. District Land Acquisition Officer, Purnea.
10. Sub-Divisional Officer Baisi, District- Purnea.
11. Circle Officer (Anchal Adhikari) Amour, District- Purnea.
12. M/S SRE KAMAC (JV) Construction Company for State Highway (SH-99) running from NH-31 crossing at Baisi, District- Purnea to Dighal Bank, District- Kishanganj.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shabbir Ahmad, Advocate
For the Respondent/s : Mr.Government Pleader (14)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 19-06-2025



The present Writ Petition has been filed for the following relief /s :-

“(A). For issuance of a writ of Mandamus commanding the respondents to pay fair compensation to the petitioner for the land of Khata No.24, Plot No.2304 area 40 decimal out of 55 decimal situated in Mauza Amour, Thana No.159, P.S. + Anchal-Amour, District-Purnea.

(B). For commanding the respondents to get the land of the petitioner bearing Plot No.2304 appertaining to Khata No.24 situated in Mauza -Amour, Thana No.159, P.S.+Anchal (Amour) District-Purnea having an area of 55 decimals measured by a government surveyor for determination of fair compensation and transparency in land acquisition as well as for award of solatium amount equivalent to one hundred percent of the compensation amount.”

2. Learned counsel for the petitioner submits that the land situated in Khata No. 24, Plot No. 2304, measuring 55 decimals, located in Mauza-Amour, Thana No. 159, P.S. + Anchal-Amour, is the Khatiyani land of the petitioner. The State has forcefully taken possession of this land for the expansion/construction of SH-99, which runs from NH-31. The petitioner contends that the land was taken without any formal land acquisition process. Earlier, the petitioner approached this Hon’ble Court in CWJC No. 17180/2024, which was dismissed; however, liberty was granted to the petitioner to file a fresh application with proper pleading, as per the order dated



13.11.2024. Consequently, the present writ petition has been filed.

3. Learned counsel for the State submits that the petitioner obtained information under the Right to Information Act, 2005, which specifically states that the land in question (Khata No. 24, Plot No. 2304, Mauza-Amour, Thana No. 159, P.S. + Anchal-Amour, District-Purnea) has not been acquired for SH-99. The State further submits that the petitioner's case is premature, and the petitioner has filed the case in haste.

4. It transpires that the petitioner has filed representations before the District Magistrate, Purnea, as per Annexures 3 and 4; however, these annexures do not mention the description of land bearing Plot No. 2304. The petitioner is relying on a document prepared by a private amin, as contained in Annexure-7 to the writ petition. Apart from Annexure-7, the petitioner has no other documents to support the claim.

5. In light of the above, the Court is not inclined to grant any relief to the petitioner based on the available pleadings. Therefore, the present writ petition is dismissed.

6. However, liberty is granted to the petitioner to seek appropriate measurement of the land under the law. If, upon measurement, it is found that the government has taken the



petitioner's land for SH-99, the petitioner may file a fresh representation before the Collector which shall be decided, in accordance with law.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	21/06/2025
Transmission Date	NA

