

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3475 of 2017

Binod Kumar @ Binod Prasad Son of Late Kashi Nath Pd. R/o Village-
Pantoka, P.S.- Pantoka Anchal- Raxaul, District- E. Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
3. The Principal Secretary, Department of Home, Bihar, Patna.
4. The Director, Land Acquisition, Bihar, Patna.
5. The Joint Secretary, Department of Home, Bihar, Patna.
6. The Collector, Motihari.
7. The Land Acquisition Officer, Motihari.
8. The Union of India through the Ministry of Home Affairs, Govt. of India, through its Secretary, North Block, New Delhi
9. The Secretary, Border Management Ministry of Home Affairs, Government of India, North Block, New Delhi
10. Divisional Commissioner at Muzaffarpur, Tirhut Division

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms. Mallika Mazumdar, Advocate Mr. Rajnish Kumar, Advocate
For the Respondent/s	:	Mr. Sajid Salim Khan-Sc25
For the UOI	:	Mr. Bindhyachal Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-09-2025 Heard Ms. Mallika Mazumdar, learned counsel for the

petitioner duly assisted by Mr. Rajnish Kumar as also the State/

Union of India.

2. Learned counsel for the petitioner prays for and is
allowed to Divisional Commissioner Tirhut Division,
Muzaffarpur cum Arbitrator as Respondent no. 10 in course of
the day.

3. The present writ petition has been preferred for:



*the Respondent authorities
for payment of money by the total land
acquired by them for construction of
Check post by the Shashastra Sena
Bal (SSB) Land acquired by the
Respondent authorities is 41 decimal
payment made for 30 decimal land.*

4. The matter relates to Khata No. 144, Plot 161 (3/2 dhur) at Pantoka in the district of Motihari and the claim is that though they acquired 42 decimal of land, the award shows that they have acquired only 30 decimal and accordingly, the payment was made.

5. The State failed to file any reply and the Union of India has file its reply showing that they have acquired only 30 decimal for which the payment has already made.

6. It has been jointly submitted by the respondents that if the petitioner is aggrieved, can approach the Divisional Commissioner cum Arbitrator for the redressal of the grievance which he failed to do.

7. In that background, learned counsel for the petitioner submits that he shall be approaching the concerned newly added respondent in next four weeks.



8. If the said petitioner is preferred in four weeks, the concerned Arbitrator cum Divisional Commissioner, Tirhut Division, Muzaffarpur shall look into the matter and after hearing all the parties, pass an appropriate order after getting the enquiry report also whether the land that has been acquired is 42 decimal or 30 decimal.

9. Needless to add, since the writ petition was pending before this Court, the same has to be heard on merit and the limitation petition to be filed by the petitioner be taken into account considering that for eight years, he was litigating before the Patna High Court.

10. The writ petition is disposed of.

(Rajiv Roy, J)

Raj Ranjan/-

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