

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12765 of 2016

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Bachoo Singh Son of Late Ganesh Singh, resident of Village Gandhar, P.S
Muffasil, District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Commissioner, Magadh Division, Gaya Bihar.
3. The District Magistrate, Gaya, Bihar.
4. The District Land Acquisition Officer, Gaya, Bihar.
5. The District Sub- Registrar, Gaya, Bihar.
6. The Director General, Border Security Force, Ministry of Home Affairs,
Government of India, New De

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Sr. Advocate
	:	Mr. Praveen Prakash, Advocate
For the Respondent/s	:	Mr. Raj Kishore Roy-Gp18
For the U.O.I.	:	Mr. Ram Anurah Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 18-08-2025 Heard Mr. Surendra Kumar Singh, learned Senior

Counsel for the petitioner and Mr. Raj Kishore Roy, learned

counsel for the State and learned counsel for the Union of India.

2. The present petition has been preferred for the

following relief/s:

*(i) for quashing the land
acquisition proceedings in relation to the
acquisition of 47.97 acres of land in
which 1.01 acres of land of the petitioner
situated in village Iguna, Thana no.310,
Anchal Manpur, P.S. Muffasil, District
Gaya was acquired pursuant to the
notifications dated 19.8.2013 and
20.8.2013 published in the daily news
paper "Prabhat Khabar" dated 31.8.2013
and 1.9.2013 respectively declaring the*



land in question needed for public purpose, namely construction of quarters for Border Security Force by invoking urgency clauses under Section 17(4) of the Land Acquisition Act, 1894 (Act 1 of 1894) as amended by Land Acquisition (Bihar Amendment) Act, 1960 (11 of 1961) and directing the State Government/authorities to make over the vacant possession of the land to the petitioner;

(ii) for quashing the Land Acquisition Proceedings in relation to the land of the petitioner acquired pursuant to the notification dated 19.8.2013 and declaration dated 20.8.2013 under the provisions of Land Acquisition Act 1894 (hereinafter referred to as the 1894 Act) on account of the fact that the award in relation to the land of the petitioner under Section-11 of 1894 Act has not been made within a period of two years from the date of publication of the declaration as a result of which the entire proceedings for the acquisition of the land in question has lapsed by virtue of Section-11-A of 1894 Act;

(iii) directing upon the respondents to initiate a fresh proceeding, if they so desired, in respect of the land of the petitioner in terms of the Right To Fair Compensation And



Transparency In Land Acquisition, Rehabilitation and Resettlement Act, 2013 ((30 of 2013) (hereinafter referred to as the "Act 30 of 2013") and to pay compensation in accordance with the said Act and further directing that even if it is deemed that award has been made, though in fact no award under Section 11 of 1894 Act has been made the land acquisition proceedings have lapsed as far as the land of the petitioner is concerned since the respondent State has neither paid the compensation nor even determined the same in accordance with Section-24 of Act 30 of 2013;

(iv) for any other writ/writs/order/orders/direction/directions as may be deemed fit in the facts and circumstances of this case.

3. Pursuant to the order dated 28.07.2025, the District Land Acquisition Officer, Gaya, namely, Ravindra Ram is present. According to him, the counter affidavit was filed by his predecessor and upon knowledge, he immediately came forward to file another affidavit. He has accepted that the amounts have not been paid to the respondent Bachho Singh and six other persons, namely, Uday Singh and Vinay Singh both sons of late Ganesh Singh, Gauri Shankar Singh, Vinod Singh and Jay Singh all sons of late Dinesh Singh and Dharmendra Singh son of late



Badri Singh. He is taking all steps to see to it that after verifying the documents, the payment is made to the land holders.

4. On the basis of the categorical statement made by the District Land Acquisition Officer, Gaya himself, this Court deems it appropriate to dispose of the petition allowing the stake holders to appear before the concerned Officer on 01.09.2025 along with all documents, who shall be duty bound to clear the amounts and if found otherwise, shall have to pass a reasoned order so that the awardees should come to know the reason why payment has not been made.

5. The entire exercise is to be completed by 30.09.2025, failing which those who are entitled for the award amount shall be paid additional amount of 12% interest from 01.10.2025 till the actual payment is made.

6. This petition is disposed of with the aforesaid observation.

7. The personal appearance of District Land Acquisition Officer, Gaya, is dispensed with.

(Rajiv Roy, J)

anand/-

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