

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5865 of 2017

- 1.1. Md. Khurshid Alim Son of late Md. Alim Rayeen, Resident of Mohalla - Stoowarganj, P.O. and P.S. Mohania, District- Kaimur at Bhabhua.
- 1.2. Md. Shamstabrez Rayeem Son of Late Md. Alim Rayeen, Resident of Mohalla - Stoowarganj, P.O. and P.S. Mohania, District- Kaimur at Bhabhua.
- 1.3. Md. Mahtab Alam Son of late Md. Alim Rayeen, Resident of Mohalla - Stoowarganj, P.O. and P.S. Mohania, District- Kaimur at Bhabhua.
- 1.4. Md. Mehddin Hassan Son of Late Md. Alim Rayeen, Resident of Mohalla - Stoowarganj, P.O. and P.S. Mohania, District- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Land Acquisition officer, Rohtas at Sasaram.
4. The Superintending Engineer, Rohtas, Irrigation Department, Government of Bihar, Irrigation Circle,
5. The Executive Engineer, Irrigation Department, Government of Bihar, Irrigation Division, Bhabhua, D
6. The Assistant Engineer, Irrigation Department, Sub-Divisional Office, Mohania, District Kaimur at B

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Kumar, Advocate
	:	Mr. Ravi Kumar, Advocate
For the Respondent/s	:	Mr. Anjani Kumar, AAG-4

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 02-09-2025 Heard the parties.

2. The present petition has been preferred for the grant of following relief(s):

“(i) for issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondents to give the land compensation amounts with interest due to delay



payment to the petitioner in respect to the land bearing R.S. Plot No.488 pertaining to R.S. Khata No.91 an area 2 decimals situated in Mauza- Aware Anchal Mohania, District - Kaimur at Bhabhua which is raiyati land of the petitioner.

(ii) for issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondent Authorities to produce the award of compensation amount in respect to land of petitioner, if not made award then Respondent Authorities restrained from construction of road of Minor Irrigation upon the land of the petitioner.

(iii) for any other relief or reliefs for which the writ petitioner shall be found entitled under the facts and circumstances of the case.”

I.A. No. 01 of 2023

3. The aforesaid Interlocutory Application has been preferred for substituting the name of the sole petitioner who died leaving behind heirs as recorded in paragraph no.1.

4. There is no objection from the other side. As such,



I.A. No. 01 of 2023 is allowed.

5. Let the name of sole petitioner be substituted by the heirs as recorded below in paragraph no.1:

(I) Md. Khurshid Alim (male), aged about-50 years;

(II) Md. Shamstabrez Rayeem (male), aged about 40 years;

(III) Md. Mahtab Alam (male), aged about-30 years;

(IV) Md. Mehddin Hassan (male), aged about-26 years.

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6. On 13.09.2018, the State was directed to file counter affidavit and the same has not come even after passage of seven years. This is the State of affairs of the respondents.

7. This Court has two options, to impose heavy cost upon the respondents, alternatively, to direct the petitioner to approach the Collector, Rohtas at Sasaram (respondent no.1) for the redressal of the grievance.

8. Learned counsel for the petitioners submit that they shall be approaching the concerned respondent in next four weeks alongwith all the relevant documents to support their



case.

9. In that background, the writ petition stands disposed of allowing the petitioners to approach the respondent no.1, the Collector, Rohtas at Sasaram.

10. If such petition is preferred, the concerned Authority shall be taking up the matter and pass an appropriate order at an earliest.

11. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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