

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16193 of 2018

1. Shiv Shankar Mandal and Ors
2. Sadhu Sharan Mandal
3. Dev Shankar Mandal
4. Gopal Shankar Mandal
5. Gopal Sharan Mandal
6. Udai Shankar Mandal Petitioner No. 1 to 5 Sons of late Rajo Mandal Resident of Birpur, Ward No. 5, Sada Tola, P.O. P.S.- Birpur, District- Supaul.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Divisional Commissioner, Koshi Division, Saharsa.
4. The District Officer-Cum-District Collector, Supaul.
5. The District Land Acquisition Officer, Supaul.
6. The Additional Collector, Supaul.
7. The Sub-Divisional Officer-Cum-Additional Land Acquisition Officer, Birpur, District- Supaul.
8. The Circle Officer, Basantpur, District- Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat
For the Respondent/s : Mr.Md.Khurshid Alam -Aag12

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 04-08-2025

Heard learned counsel for the petitioners and
learned counsel for the State.

2. The present writ application has been filed with
the following reliefs:-

*(A). To issue a writ in the nature of
certiorari setting aside the (i) letter vide Sr. No.*



858 dated 1.11.2017 rejecting application for issuance of Land Possession Certificate of petitioner No.1 Shiv Shankar Mandal vide Sr. No. 858 appertaining to 00-00-08 Dhors of land (ii) letter vide Sr. No.762 dated 20.10.2017 rejecting the application for issuance of Land Possession Certificate of petitioner No.2 Shadhu Sharan Mandal with respect to 00-00-09 Dhors of land (iii) letter vide Sr. No.859 dated 1.11.2017 rejecting the application for issuance of Land Possession Certificate of petitioner No.3 Dev Shankar Mandal with respect to 00-00-09 Dhors of land (iv) letter vide Sr. No. 759 dated 20.10.2017 rejecting the application for issuance of Land Possession Certificate of petitioner No.4 Gopal Sharan Mandal with respect to 00-00-09 Dhors of land and (v) letter vide Sr. No.763 dated 20.10.2017 rejecting the application for issuance of Land Possession Certificate of petitioner No.5 Udai Shankar Mandal with respect to 00-00-09 Dhors of land issued by Respondent Circle Officer, Basantpur, District-Supaul (Annexure-'10 Series). All lands appertaining to Khata No.13(old) 502 9New0, Khesra No.183 (old) 264 (New), Mauza Birpur, Thana No.05, Anchal- Basantpur, District-Supaul.

B) To issue a writ in the nature of mandamus commanding/directing the Respondent No.4, the District Collector, Supaul to make



payment of compensation amount in Case No. 10-43(ii) 2016-17 para-2 as the land of petitioners have been acquired for purpose of construction of Indo-Nepal Boarder Road, the same has been mentioned from Serial No. 28 to 33 in notification dated 16.01.2016 with respect to acquisition of land U/S 40(3) of New Land Acquisition Policy, 2013 (Annexure-8).

3. Counsel for the petitioners submits that during pendency of the present writ petition, award has been prepared in the name of petitioners which they have brought by virtue of filing a supplementary affidavit of this case.

4. Counsel further submits that after preparation of award in their name, the petitioners and similarly situated persons have filed representation before the District Magistrate for the payment of land acquired, but the payment has not been made. He further submits that counter-affidavit has also not been filed in this case.

5. It transpires to this Court that the present case is pending since 2018 and during pendency, award has been prepared, which has been annexed by virtue of supplementary affidavit and filed a representation before the District Magistrate. As such, the present writ petition is hereby disposed off directing the District Magistrate, Supaul, (respondent No.4)



to verify the representation of the petitioners that whether award has been prepared in favour of the petitioners or not? If it has been found that award has been prepared rightly, then specific instruction be issued by him to the District Land Acquisition Officer, Supaul, (respondent No.5) to ensure the payment to the petitioners for the acquired land within 3 months from the date of production of this order.

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

(Dr. Anshuman, J.)

Prakashmani/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	06.08.2025
Transmission Date	N/A

