

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10535 of 2025

1. Manisha Jaiswal W/o Indu Bhushan Prasad Jaiswal, Resident of Vill.- Pakri Dayal, P.S- Pakridayal, District- East Champaran.
2. Tannu Kumari D/o Nawal Kishor Prasad, Resident of Gandhi Nagar, P.S- Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Patna, Bihar.
2. The Collector cum District Magistrate, East Champaran, Bihar.
3. The Project Director, NHAI, Project Implementation Unit, Motihari, House of Madhu Ranjan, Chandmari Chowk, Motihari.
4. The Additional Collector, East Champaran, Bihar.
5. Sub Divisional Officer, Pakridayal, East Champaran, Bihar.
6. Circle Officer, Pakri Dayal, East Champaran, Bihar.
7. Savitri Devi W/o Late Parshuram Singh, Resident of Pakridayal, P.S.- Pakridayal, Dist.- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar
For the Respondent/s : Mr.Government Pleader (23)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 10-07-2025

In the instant petition, petitioners seek following

relief(s):-

(A) For issuance of appropriate Writ, Order/s, Direction/s in the nature of Mandamus commanding the respondents to compensate the petitioners after getting their land acquired by the Government for constructing the National Highway 227F.



(B) For issuance of appropriate Writ, Order/s, Direction/s to the Respondents to consider the representations of the petitioners and after enquiry make payment to the petitioners against the acquired land of petitioners, to them.

(C) For issuance of appropriate declaration that the action of the respondents concerned in not paying the compensation to the petitioners for their acquired land is highly illegal, arbitrary, malicious and tantamounting to violation of the Fundamental Rights, Human Rights and Natural Right of the petitioners in the facts and circumstances of the case.

(D) For issuance of appropriate declaration that the land acquired by the Government (NHAI), is the land of petitioners and to direct the Respondents to compensate them adequately with penal interest.

(E) For grant of any other relief or reliefs if the petitioners are found entitled to.

2. Learned counsel for the petitioners submit that land of petitioner no. 1 bearing Khata No. 363, Khesra No. 661, Thana No. 136 area 0.94 Decimal having Lagan Jamabandi No.



2103105200054631 vide Receipt No. 10070401073056380899 which has been mutated in her name on 04.10.2024 vide Receipt No. 1914 of 2024-2025 and the land of petitioner no. 2 bearing Khata No. 363, Khesra No. 661, Thana No. 136 area 09.40 Decimal having Lagan Jamabandi No. 213105200054188 vide Receipt No. 10072401094576685903 which has been mutated in her name on 04.10.2024 vide Receipt No. 1913 of 2024-2025, as contained in Annexure P/1 (series) of the instant petition, have been taken away by NHAI for constructing the National Highway 227F. He further submits that the said land of the petitioners has been encroached without issuing any notice to them and they have also not got any compensation for the acquisition of the said land. He further submits that petitioners have represented before the Sub Divisional Officer, Pakridayal, East Champaran, Bihar and the Circle Officer, Pakridayal, East Champaran but they have not paid any heed to the grievance of the petitioners.

3. Learned counsel for the NHAI and State have submitted that petitioners have not represented their grievance before the competent authority under Section 3(c) of the NHAI Act, 1956. They, however, submitted that if petitioners represent their grievance afresh before the competent authority,



the same shall be looked into.

4. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the present writ petition stands disposed of with direction to petitioners to file fresh representation before the competent authority within a period of four weeks from the date of receipt of this order. If petitioners raise their grievance before the concerned authority by filing fresh representation within the stipulated period, the competent authority shall pass appropriate order after giving due opportunity of hearing to the parties concerned within a reasonable period of time preferably within three months from the date of filing of their representation.

(Alok Kumar Pandey, J)

alok/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	11.07.2025.
Transmission Date	N/A

