

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5664 of 2015

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Gopal Krishna Jha Son of Late Ratneshwar Jha, Resident of Village-
Tengatha, P.O.- Thengaha, P.S.- Sakatpur, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Senior Project Engineer, Works Division, Darbhanga, District Darbhanga.
3. Divisional Commissioner, Darbhanga, District Darbhanga.
4. District Magistrate, Darbhanga at Laheheria Sarai, District Darbhanga.
5. The District Land Acquisition Officer, Darbhanga, District Darbhanga.
6. The Circle Officer, Ghanshyampur Block, District Darbhanga.
7. Managing Director, Bihar State Bridge Construction Corporation Ltd. 7,
Sardat Patel Marg Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Durga Nand Jha, Adv.
For the Respondent/s	:	Mrs. Archana Meenakshee, GP-4
		Mr. Harish Singh, AC to GP-6
		Mr. Rana Veer Prawar, AC to GP-6

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 19-08-2025 Heard Mr. Durga Nand Jha, learned counsel for the

petitioner and Mrs. Archana Meenakshee, learned GP-6.

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

*(i) Issuance of an appropriate writ
in the nature of Mandamus directing and
commanding the Respondents to pay the
adequate amount of compensation with
solarium against the lands of petitioner
which is being utilized by the Respondents in
construction of high standard R.C.C. bridge*



over River Kamala at Thengaha Ghat without acquiring the land of petitioner.

(ii) Issuance of further writ in the nature of Mandamus commanding the Respondents to pay the adequate amount of compensation as per market value along with one hundred percentsolarium as provided under section 30 of 2013 Act against the land of petitioner appertaining to Khata no. 1355 Khesara no. 7610/4894 Area 1.35 Acres (share of petitioner comes to 22.3 decimal) of Mouza Jaideo Patti, Circle office Ghanshyampur District Darbhanga.

(iii) Issuance of an appropriate holding and declaration that construction of bridge has been started over the land of petitioner without issuance of a proper notice under section 4 of Land Acquisition Act, 1894 (under section 11 of Act, 2013) in as much as without following the procedures laid under section 5, 5A, 6, 8, 9, 11 and 12 of Act, 1894 (section 13, 15, 19, 20, 21, 23 and 37 of New Act); the process/acts done by the respondents are bad in law and acquisition of petitioner's land is illegal and the land of petitioner is fit to be released and possession of petitioner over the land is required to be restored.

(iv) Issuance of an appropriate declaration that once whole processes have



been done in violation of provisions of Acquisition Act in as much as in violation of Natural Justice, the petitioner is entitled to additional compensation in addition to adequate amount of compensation on the basis of Market rate and solarium payable over the compensation along with adequate amount of interest and penal interest.

(v) Any other relief or reliefs be granted to petitioner to which he is found to be entitled to in accordance with law.

3. A counter affidavit has come on behalf of respondent nos. 4 to 6 duly signed by the Circle Officer, Ghanshyampur, Darbhanga according to which, the grievance stands redressed.

4. Learned counsel for the petitioner submits that he is satisfied with the counter affidavit and as such, the matter has become infructuous.

5. Accepting the words of the learned counsel for the petitioner, treating the writ petition as infructuous, the writ petition is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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