

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10878 of 2025

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Rajnish Kumar Son of Ghanshyam Thakur Resident of Ward No.05, Near
Pakhar Barahsher, P.S. Sonbarsa, District-Saharsa.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, National Highway Division, Govt. of India, New Delhi.
2. The General Manager, NHAI, Ministry of Highway, New Delhi.
3. Regional Officer, NHAI, Supaul (Madhubani).
4. Project Director, NHAI, Supaul (Madhubani).
5. The State of Bihar through the Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.
6. The Commissioner, Koshi Division, Saharsa.
7. The District Collector, Saharsa.
8. The District Land Acquisition Officer, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Rashmi Jha, Advocate
For the State	:	Mr. Vikas Kumar, Advocate
For the Respondent/s	:	Mr. Sriram Krishna, Advocates
		Mr. Shashank Shekhar Kunwar, Advocate
		Mr. Prabhat Kumar Singh, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 02-12-2025 The present writ application has been filed for the
following reliefs:

*“(i) For direction to the respondent
authorities to construct a Bypass Road connecting,
the NH-327E through East of Bihra Patori Bazar
which was earlier notified in newspaper on
17.05.2021 on the basis of survey report of the
D.M., Saharsa and National Highway Authority*



Officers for 2019-20 Bharat Mala Project in the Gram Panchayat Bihra and Patori, Sattar Kataiyya Block, Saharsa District as minimum damage to the public would be caused in comparison with the present changed alignment which is crossing through a densely populated market area creating much loss to the public as well as to the government.

(ii) For direction to the respondent authorities to stay the order dated 26.05.2025 and 09.06.2025 under the signature of Collector (District Land Acquisition Office), Saharsa whereby and whereunder it is directed to vacate the land immediately and forcefully without granting appropriate time to the shopkeepers as well as the house owners contrary to the fact that most of them have not even received the compensation for the acquired land and it is not feasible for the affected families to shift their shops/houses anywhere in the period of Monsoon which is commencing from June last week.

(iii) Further for direction to the concerned respondent authority to compensate and rehabilitate the affected families according to the current rate and the guidelines/rules of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(iv) For issuance of any other appropriate writ/writs, order/order or direction/directions which this Hon'ble Court may deem fit and proper.”



2. Upon consideration of the reliefs sought in the present writ application, it is evident that the project in question is being undertaken by the National Highways Authority of India (NHAI). The decision relating to the alignment of the road falls squarely within the technical and administrative domain of the NHAI. Furthermore, the statement made in Paragraph No. 4 of the writ application *“That the petitioner, who is a social worker, sentimentally attached to the said area of the village Bihra Patori and Sattar Kataiyya”* is not in consonance with the requirement prescribed under the High Court Rules for filing a Public Interest Litigation.

3. The parameters laid down in Chapter XXI-CC of the Rules of the High Court at Patna, 1916, for filing PIL matters, are as follows:-

“6. To facilitate the aforesaid purpose, a petitioner in a PIL shall state in clear terms the relief prayed for in paragraph-1 of the petition and the grounds in paragraph-2. In paragraph-3, he must give full and complete details of himself to reveal his interest, credentials and qualification relevant for the PIL, along with a declaration that he has no personal interest, direct or indirect, in the subject matter of the PIL. In addition, ordinarily, the petitioner is required to set out all relevant



facts with supporting data, reports, etc.

7. After arriving at a prima facie satisfaction regarding the credentials of the petitioner and the correctness of the contents of the petition, if the Court finds that the petition was filed by busybodies for extraneous or ulterior motives, the Bench may impose exemplary costs.”

4. Considering the same, this Court is not inclined to interfere in the present writ application.

5. The present writ application is, accordingly, disposed of.

6. Pending application(s), if any, shall stand disposed of.

(Sudhir Singh, ACJ)

(Alok Kumar Pandey, J)

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