

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17681 of 2021

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Sanju Singh, W/o Anil Kumar Singh, R/o-Vishanpura, Bihta, P.S.-Bihta,
District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue Department, Government of Bihar, Patna.
2. The Principal Secretary, Revenue Department, Government of Bihar, Patna.
3. The Divisional Commissioner Patna Divisional Patna.
4. The District Magistrate, Patna.
5. The Additional Collector, Patna.
6. The District Land Acquisition Officer, Patna.
7. The Deputy Collector Land Reforms Sadar Patna.
8. The Circle Officer, Bihta.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Upadhyay, Adv.
For the State : Mr. Sajid Salim Khan (SC-25)

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 04-09-2025 The instant application has been filed under Article

226 of the Constitution of India by the petitioner praying for the

following relief(s):

*"That this writ application is being filed for
setting aside to the order dated 24.08.2021
passed by the Secretary, Revenue Department,
Government of Bihar, Patna in application no.
428110104022106692/2A whereby and
whereunder the application of the petitioner for
payment of compensation against the land of the
petitioner which has been acquired but the same
has been denied and it is further prayed that a
direction may be given to the authorities for*



making payment of compensation in lieu of the raiyat land acquired by the officials while constructing the Bihta Sarmera national highway no. 78. in which compensation has not been given to the petitioner till date for which petitioner is entitled and it is further prayed that the entire compensation may be granted to petitioner with the statutory interest and/or pass such other order/orders in the facts and circumstances of the case."

2. Heard Mithilesh Kumar Upadhyay, learned counsel appearing for the petitioner and Mr. Sajid Salim Khan, learned counsel appearing for all the respondents.

3. The petitioner has filed this writ application for setting aside the order dated 24.08.2021 passed by the Secretary, Revenue Department, Government of Bihar, Patna on his application No. 428110104022106692/2A. During the course of argument the petitioner's counsel has revealed that the application on which the impugned order was passed, had been filed before the wrong forum, so, on this aspect, this court has no reason to check the legality of the order dated 24.08.2021. So far as the second issue raised by the petitioner, with regard to non-payment of compensation amount of his land which has been acquired for the construction of Bihta Sarmera National Highway No. 78 is concerned, the petitioner has a specific



statutory remedy under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Considering this aspect, the petitioner is given a liberty to file an application before the concerned Collector for raising his grievance. If he avails this liberty in the next three weeks, then the Collector shall proceed with his application as per the provisions of Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and decide the same within time frame prescribed under the said provision and no adverse inference merely on the basis of the observations made in the impugned order dated 24.08.2021 without verifying the same, shall be drawn against the petitioner while deciding the issue of compensation.

4. Accordingly with aforesaid direction the petition stands disposed of.

(Shailendra Singh, J)

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