

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2173 of 2017

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Bhuvaneshwar Upadhyay Son of Late Dwarika Nath Upadhyay alias Govardhan Upadhyay, Resident Mohalla- Upadhyay Tola, P.O. P.S.- Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The District Magistrate, Nalanda at Biharsharif.
4. The District land Acquisition Officer, Nalanda at Biharsharif.
5. The Sub Divisional Officer, Rajgir, District- Nalanda.
6. The Deputy Collector Land Reforms, Rajgir, District- Nalanda.
7. The Circle Officer, Rajgir, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dev Kumar Pandey, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 24-06-2025 Heard Mr. Dev Kumar Pandey, learned counsel for

the petitioner and learned counsel representing the State.

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

*(i) For setting aside the letter no. 433 dated
29.03.2016 issued from the office of respondent
District Land Acquisition Officer alongwith the
reference form 19 dated 28.03.2016 whereby
reference under section 30 of Old Act was made,
with respect to the 18 dismal land of petitioner's*



family pertaining to Khata No. 32, Khesra No. 2326, Revenue Thana No. 484 of Mauza Pilkhi in Rajgir Circle of Nalanda district whereby award prepared on no person's name ad referred to the Special Judge of Land Acquisition and petitioner admittedly being the descendant of the recorded tenant of said land and the copies of khatian with rent receipts already submitted before the District Land Acquisition Officer, no award/ solatium/ compensation paid to the petitioner rather award has been prepared on "no person's name".

(ii) For declaring that the acquisition of the land of petitioner as described above, vitiates in law as no notice was ever served upon the petitioner despite petitioner's representation 21.01.2013 for carrying out dated the Land Acquisition proceeding by sending notices upon the petitioner.

(iii) For a direction upon the Collector to issue fresh notice upon the petitioner and invite



objections and after hearing the parties a fresh award in accordance with law be prepared on the name of petitioner and his joint family.

(iv) Pending hearing of this application respondent authorities be restrained from taking any kind of the permission of the petitioner's land under acquisition.

(v) And any other relief or reliefs which the petitioners are entitled for in the facts and circumstances of this case.

3. It has been informed by the learned counsel for the petitioner that he may be permitted to withdraw the petition as it has become infructuous.

4. In that background, the the writ petition stands dismissed as withdrawn.

(Rajiv Roy, J)

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