

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13798 of 2025

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1. Deonath Prasad Singh Son of Late Jalan Prasad Singh, Resident of village, P.O. and P.S. Vaishali, District - Vaishali at Hajipur.
 2. Lakshman Ray, Son of Late Yogendra Ray, Resident of village, P.O. and P.S.- Vaishali District - Vaishali at Hajipur.
 3. Om Prakash, Son of Late Narsingh Prasad Singh, Resident of village, P.O. and P.S.- Vaishali, District - Vaishali at Hajipur.
 4. Maheshwar Prasad Singh, Son of Late Haridwar Prasad Singh, Resident of village, P.O. and P.S. Vaishali, District - Vaishali at Hajipur.
 5. Rajeshwar Prasad Singh, Son of Late Haridwar Prasad Singh, Resident of village, P.O. and P.S.- Vaishali, District - Vaishali at Hajipur.
 6. Santosh Kumar, Son of Late Narsingh Prasad Singh, Resident of village, P.O. and P.S.- Vaishali, District - Vaishali at Hajipur.
 7. Ful Kumari Devi, Wife of Late Rajendra Prasad Singh, Resident of village, P.O. and P.S. Vaishali, District - Vaishali at Hajipur.
 8. Krishna Devi, Wife of Lakshman Ray, Resident of village, P.O. and P.S. Vaishali, District - Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
3. The Collector, Vaishali at Hajipur, District - Vaishali at Hajipur.
4. The District Land Acquisition Officer, Vaishali at Hajipur, District - Vaishali at Hajipur.
5. The Sub- Divisional Officer, Hajipur, District - Vaishali at Hajipur.
6. The Circle Officer, Vaishali, District - Vaishali at Hajipur.
7. The National Highway Authority of India, through the Project Director, Project Implementation Unit, Shivpuram Colony, Near Hanuman Mandir, Sainik Colony Road, Gola Road, Danapur, Patna.
8. The Project Director, The National Highway Authority of India, Project Implementation Unit , Shivpuram Colony, Near Hanuman Mandir, Sainik Colony Road, Gola Road, Danapur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. S.B.K.Mangalam, Advocate
		Mr.Awnish Kumar, Advocate
For the Respondent/s	:	Mr.Government Pleader -17

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY



ORAL ORDER

2 01-09-2025 Heard Mr. S.B.K. Mangalam, learned counsel for the
petitioners and the State.

2. The present petition has been preferred for the
following relief/s:

*(i) for issuance of an appropriate writ in the
nature of MANDAMUS commanding and
directing the Respondent no.3 to refer the
matter to the authority constituted under
Section 51 of the Right to Fair
Compensation and Transparency in Land
Acquisition, Rehabilitation and Resettlement
Act, 2013 (hereinafter referred to as the
2013 Act) for determination of petitioners'
objection with regard to the amount of
compensation for which they are entitled
under the provisions of 2013 Act for their
Raiyati land which has been acquired for
construction of N11-139W under Bharat
Mala Project Lot-07;*

*(ii) for a declaration that if immediately
after publication of Land Acquisition Notice
in the News Paper on 12.08.2021, the*



petitioners had filed their objection on 21.08.2021 regarding nature of their land mentioned in the notice before proceeding any further in the matter it was incumbent upon the Respondents first to consider and decide the objections being raised by the petitioners regarding the nature of their acquired land which would have been relevant for determination of amount of compensation for which the petitioners are legally entitled;

(iii) for issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the Respondent Authorities for payment of revised compensation of petitioners' land which the Respondents have acquired for the purposes of construction of NH-139W under Bharat Mala Project Lot-07, Adalwari Manikpur Khand treating the nature of their land as commercial land or at least developing land since the acquired land of the petitioners is situated at Lalganj-



Manikpur Main Road and it was being used by the petitioners as their cattle homes/dwelling houses since long;

(iv) for issuance any other appropriate writ/writs order/orders, direction/directions for which the writ petitioners would be found entitled under the facts and circumstances of the case.

3. Learned counsel for the petitioners submit that for the purpose of construction of National Highway NH-139W under Bharat Mala Project, public notices were issued in the year 2021 which includes the petitioners' land. However, the notice shows their land to be 'Bhith'.

4. The grievance is that after 1962, the construction of Hajipur-Manikpur State Highway, the nature of land has completely changed.

5. The respondents on the other hand submit that decision has been taken, natural recourse for the petitioners is/are to approach the Arbitrator cum Divisional Commissioner, Tirhut Division, Muzaffarpur (respondent no.2)

6. In that background, the writ petition is disposed of allowing the petitioners to approach the concerned authority,



respondent no.2 in next four weeks who shall after taking up the matter and hearing all the parties come to a conclusion preferably by 31.03.2026.

7. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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