

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21128 of 2018

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Bhagawan Jha son of Late Bahadur Jha, Resident of Village Kamlpur Pipra,
P.S.- Pipra, District- Supaul.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Commissioner Koshi Division Saharsa.
4. The District Magistrate Supaul.
5. The District Magistrate-cum- Chairman, District Health Society, Saran.
6. The District Land Acquisition Officer Supaul.
7. The Circle Officer, Pipra.
8. Anirudh Panjiyar son of Late Bhulan Panjiyar
9. Indue Panjiyar son of Late Bhulan Panjiyar null
10. Sanjay Panjiyar son of Late Bhulan Panjiyar
11. The Union of India through Secretary Department of Road Transport and Highways New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Amarnath Jha, Advocate
For the Respondent/s	:	Mr. Vivekanand Singh, APP
For the NHAI	:	Mr. Dr. Maurya Vijay Chandra, Advocate
		Ms. Preety Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-10-2025 Heard Mr. Amarnath Jha, learned counsel for the

petitioner and Mr. Vivekanand Singh, learned APP for the

State as also Dr. Maurya Vijay Chandra for the NHAI.

2. The present writ petition has been preferred for

the following relief(s):-

*For setting aside the order dated
25-11-17 passed by the District Land
Acquisition Officer Competent Authority*

Supaul Whereby and where under approval for payment of Compensation for the acquisition of land bearing plot No. 1722 Area 18-00 acre under Mauja Bishanpur 245 ps. Pipra the purpose Thana No. District Supaul acquired for of widening of NH 106 vide Notification No. 1933 (E) dated 13-6-13 under section 3A of National Highway Act 1956 and vide declaration No. 1499 (E) dated 11-6-14 U.R section 3 D of the said Act by the Circle Officer Pipra District Supaul has been granted to the Respondents 84010 while said land belongs to the petitioner and his brothers.

(ii) For declaration that the petitioner is entitled to for the compensation aforesaid land bearing Khata No. 147 plot No. 1722 Area 18.00 Acre under Mauja Bishanpur Thana No. 245 P.S.-District Supaul which has been acquired Pipra as aforesaid for widening of NH Act 1956 as the land belongs to the petitioner.

(iii) For direction upon the respondents grant compensation in favour of to the petitioner as the land aforesaid belongs to the petitioner.

(iv) For any other relief (s) / direction(s) /order(s) to which the

petitioner may be the found entitled in circumstances of the case.

3. Dr. Chandra has straightway taken this Court to the order dated 24.11.2017 and 25.11.2017 passed by the competent Officer cum District Land Acquisition Officer, Supaul to show that while the petitioner failed to provide any document despite repeated adjournment, the respondent Anirudh Panjiyar, Indu Panjiyar and Sanjay Panjiyar produced documents relating to Kheshra No. 1722 (Area 0.18 acre) and as such after deduction of income tax amount, payment order was approved.

4. The submission is that on one hand, the respondents came up with the document, on the other hand, despite repeated adjournment, the petitioner fail to produce any proof and as such if they are armed with supporting document, the resort is to approach the competent Civil Court.

5. A counter affidavit to this effect has also been filed by the respondent nos. 4, 6 and 7 duly signed by the District Land Acquisition Officer, Supaul and there is no rebuttal to it. In that background, allowing the petitioner to approach the competent Civil Court, if he so want with regard to the title of the land in question (Plot No. 1722 - 0.18 acre)

under Section 3H(iv) of the National Highway Act, the writ
petition is disposed of.

(Rajiv Roy, J)

Raj Ranjan/-

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