

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15950 of 2022

1. Nilam Kumari Wife of Chandra Shekhar Azad Resident of Maurya Bihar Colony, Transport Nagar, Kumhrar, Thana- Agamkuan, District- Patna.
2. Shubham Kumar, Son of Chandra Shekhar Azad Resident of Maurya Bihar Colony, Transport Nagar, Kumhrar, Thana- Agamkuan, District- Patna.
3. Sunil Kumar Sharma, Son of Late Chamari Prasad Resident of Maurya Bihar Colony, Transport Nagar, Kumhrar, Thana- Agamkuan, District- Patna.
4. Sarita Kumari, Wife of Indrajeet Kumar Brahmachari Resident of Village- Kamrathu, P.O.- Musadhi, P.S.- Karai Parasurai, District- Nalanda.
5. Indrajeet Kumar Brahmachari, Son of Late Ramjee Prasad Resident of Village- Kamrathu, P.O.- Musadhi, P.S.- Karai Parasurai, District- Nalanda.
6. Rohit Amar, Son of Chandra Shekhar Azad Maurya Bihar Colony, Transport Nagar, Thana- Agamkua, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, at Patna.
2. Urban Development and Housing Department, Govt. of Bihar, Patna through the Principal Secretary, District- Patna.
3. Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
4. Commissioner, Patna Division, District- Patna.
5. District Magistrate-cum-Collector, Patna.
6. District Land Acquisition Officer, Patna, District- Patna.
7. Circle Officer, Sadar, District- Patna.
8. Patna Municipal Corporation, through the Commissioner, District- Patna.
9. Commissioner, Patna Municipal Corporation, District- Patna.
10. Chief Managing Director, Patna Metro Rail Corporation Ltd., Indira Bhawan 7th Floor, Bailey Road, Patna- 800001.
11. Director (Work) Project, Patna Metro Rail Corporation Ltd., Indira Bhawan 7th Floor, Bailey Road, Patna- 800001.
12. Ministry of Jal Shakti, Department of Water Resources, River Development and Ganga Rejuvenation, through the Project Director, Bihar at Patna.
13. National Mission for Clean Ganga, Ministry of Jal Shakti, Department of Water Resources, River Development and Ganga Rejuvenation, through the Project Director, Vikash Bhawan Bailey Road, Patna Bihar- 800001.
14. Bihar State Pollution Control Board, Patna, Bihar through its Principal Secretary, Bihar at Patna.
15. Principal Secretary, Bihar State Pollution Control Board, Bihar at Patna.
16. Archaeological Survey of India through Regional Director, Patna Circle, Puratattwa Bhawan, J.C. Road, Anta Ghat, Patna- 800001.
17. Regional Director, Patna Circle, Archaeological Survey of India, Patna.



... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh- Advocate Mr. Shivam Singh- Advocate Mr. Kumar Vikram- Advocate Mr. Kumar Avinahs- Advocate Mr. Amarendra Kumar- Advocate Ms. Alka Singh- Advocate Mr. Nikhil Singh- Advocate
For the State	:	Mr. Yogendra Prasad Sinha (AAG-7) Mr. AC to AAG-7
For Patna Metro Rail	:	Mr. S. D. Sanjay- Sr. Advocate Mr. Mohit Agrawal- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-04-2025 1. Heard Mr. Sumit Kumar Singh, learned counsel for the petitioners, learned AC to AAG-7 appearing on behalf of the State and Mr. S. D. Sanjay, learned Senior Counsel appearing on behalf of the Patna Metro Rail Corporation Limited through virtual mode assisted by Mr. Mohit Agrawal.

2. Learned counsel appearing on behalf of the petitioners submits that the instant writ application has been filed seeking quashing of the process of acquisition published in the daily newspaper Hindustan dated 23.10.2021 (Annexure-P/18) under Section 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 which has been initiated under the signature of the District Magistrate, Patna with regard to 50.5950 acres of land appertaining to Thana No. 14, Mauza Pahadi, Revenue P. S. Patna City and 25.35 acres of land



pertaining to Thana No. 19, Circle Patna Sadar, Mauja Ranipur Revenue P. S. Patna City, District Patna, as such, altogether 75.96 ares of land tentatively is to be acquired for Project Patna Metro (Rail Depot Corporation) on the ground that the notification dated 23.10.2021 is incorrect, the process is without following the Social Impact Assessment and the action of the authorities is also in violation of Sections 4, 6 and 7 of the Land Acquisition Act, 2013. Further, to quash the report of the Social Impact Assessment in relation to Patna Metro Rail Depot Corporation Limited (Annexure-P/11) as the same is in complete violation of Sections 4, 6 and 7 of the Land Acquisition Act, 2013 and also to quash the formation of the Technical Expert Group under Section 7 of the Land Acquisition Act, 2013 dated 23.06.2021 (Annexure-P/12) by which the Expert Committee has been constituted on the ground that the two members at serial no. 6 and 7 have been added as two representatives of the Panchayat, Gram Sabha, Municipality or Municipal Corporation as the case may be but then the Members do not belong to the municipality under which the land is intended to be acquired. Further, to quash the Technical Expert Report under Section 7 of the Land Acquisition Act, 2013 (Annexure-P/13) by which Expert Committee has submitted the



report on the ground that Section 7(2)(b) of the Land Acquisition Act, 2013 has been violated on the face of the record and in violation of the intention and objective of the Land Acquisition Act, 2013 and other ancillary reliefs.

3. Learned counsel appearing on behalf of the petitioners submits that persons aggrieved with the acquisition had moved before this Court by filing several writ applications. One of the writ applications was C.W.J.C. No. 7579 of 2022 and the same was heard analogous with other writ applications and the same came to be decided by a judgment dated 21.12.2023 against which the petitioners of C.W.J.C. No. 7579 of 2022 along with other analogous cases had moved in L.P.A. No. 45 of 2024 which was heard analogous with different L.P.As. It is further submitted that the Patna Metro Rail Corporation Limited also filed different L.P.As. assailing the order of the Writ Court and one of the L.P.As. was L.P.A. No. 315 of 2024. It is next submitted that even the State of Bihar also assailed the order of the Writ Court by filing several L.P.As. and one of the L.P.As. was L.P.A. No. 321 of 2024. It is also submitted that the Hon'ble Division Bench tagged all the L.P.As. filed by the aggrieved persons, Patna Metro Rail Corporation Limited and the State of Bihar. It is submitted that the L.P.A. No. 45 of 2024



was heard analogous with other L.P.As. filed and the order of the Writ Court was modified. It is further submitted that L.P.As. filed by the aggrieved persons were dismissed while the L.P.A. filed by the State of Bihar and the Patna Metro Rail Corporation Limited was allowed with certain modification in the order of the Writ Court.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners would be satisfied if the instant writ applications are also disposed of in terms of the order dated 27.02.2025 in L.P.A. No. 45 of 2024 heard analogous with other L.P.As.

5. Learned counsel appearing on behalf of the State and the learned Senior Counsel appearing on behalf of the Patna Metro Rail Corporation Limited do not object to the said submissions made by the learned counsel appearing on behalf of the petitioners.

6. After hearing the learned counsel for the parties, the writ applications are disposed of in terms of the order dated 27.02.2025 in L.P.A. No. 45 of 2024 heard analogous with other L.P.As.

(Satyavrat Verma, J)

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