

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23657 of 2018

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1. Shamsul Hassan, S/o Late Ali Hassan, Vill.- Chaurawn P.S. Thawe, Dist.- Gopalganj.
 2. Khurshid Alam, S/o Late Ali Hassan, Vill.- Chaurawn P.S. Thawe, Dist.- Gopalganj.
 3. Ali Imam S/o Late Abdul Aziz, Vill.- Chaurawn P.S. Thawe, Dist.- Gopalganj.
 4. Md. Sahid, S/o Late Sajjad Ali, Vill.- Chaurawn P.S. Thawe, Dist.- Gopalganj.
 5. Salahuddin Ahmad, S/o Late Sajjad Ali, Vill.- Chaurawn P.S. Thawe, Dist.- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Commissioner, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Collector, Gopalganj.
3. The District Land Acquisition Officer, Gopalganj.
4. The Anchal Ahikari, Thawe, Gopalganj.
5. The Union of India through the Secretary Ministry of Road and Surface Transport, New Delhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, G.P.-14

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-11-2025 Heard Md. Sufyan, learned counsel for the petitioners
and Mr. Dhurjati Kumar Prasad, learned G.P.-14.

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

*(i) for issuance of appropriate writ/ writs,
order/orders/ direction to the respondents*



authorities to pay adequate and fair compensation for the land/trees of the petitioners acquired by the respondents for the purpose of N.H. 85, Gopalganj -Mirganj By-pass construction vide Gazette notification dated 25.10.2010 issued by the Ministry of Road Transport and Highways, New Delhi;

(ii) for a direction to the respondents authorities to determine the market value of the land of the petitioners as well as other assets attached to the land and pay compensation under the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and resettlement Act, 2013.

3. A counter affidavit has come on behalf of respondent nos. 02 to 04 and as per paragraph-19 while the petitioner no.1, 2 and 3 have received compensation amount without any objection, so far as the petitioner nos. 4 and 5 are concerned, the same stands deposited with the Land Acquisition Authority, Saran at Chapra on 07.07.2018 (Annexure-G to the



affidavit). Paragraph-21 further records that payment has been made according to the market value on the basis of average price in different sale-deeds at the relevant time.

4. The counter affidavit was filed in the year 2020 after service of copy to the learned counsel for the petitioners and there is no rebuttal to it.

5. Since three of five petitioners have already accepted the amount without any objection, it is advisable that rest of the two petitioners take the compensation amount which is presently pending before the authority at Saran, Chapra and if still has grievance can further agitate the matter.

6. It has been informed by the learned counsel for the petitioners that subsequently the authority has also started functioning in the district of Gopalganj.

7. Be that as it may, the petitioner nos. 4 and 5 to approach the concerned authority, Saran at Chapra who shall be duty bound to look into the matter and clear the amount if the petitioner nos. 4 and 5 want to receive the same. If the same has been transferred to the new authority at Gopalganj, he shall be duty bound to record the same and inform both the authorities at Gopalganj as also the petitioner nos. 4 and 5 in this regard.

8. The entire exercise has to be completed by



31.03.2026.

9. The writ petition is disposed of with the aforesaid
observation.

(Rajiv Roy, J)

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