

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18072 of 2018

Harsh Kumar S/o Late Jyoti Prasad Singh, Resident of Mohalla- K.M. Tank,
P.S.- Leheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Deputy Secretary, Department of Revenue and Land Reforms,
Government of Bihar, Patna.
3. The Commissioner, Darbhanga Division, Darbhanga.
4. The Collector, Darbhanga.
5. The Additional Collector, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar Thakur, Advocate
For the State : Mr. Dhurjati Kumar Prasad (GP-14)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 10-11-2025 Heard the parties.

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

*(i) For quashing the order dated
01.03.2018 passed in Land Ceiling (Surplus)
Appeal Case No. 03/2015 (Harsh Kumar Versus
The State of Bihar and others) by the
Commissioner, Darbhanga Division, Darbhanga
(i.e. Respondent no. 3) whereby and where-under
the land ceiling case no. 06./2015 filed by the
petitioner to determine the rate of compensation
amount as per the rate existed on the date of actual*



determination of compensation amount and to pay interest on the determined amount at the rate of 12% per annum, has been rejected affirming the order of the collector dated 10.10.2011.

(ii) for quashing order dated 10.10.2011 passed in Miscellaneous Case No. 44/2010-11 by the Collector, Darbhanga (i.e. the Respondent no. 4) whereby and where- under the respondent no. 4 has fixed the amount of compensation at the rate of 2.5% per annum as a simple interest on the determined compensation amount of RS. 46,597/- from the date of acquisition of surplus land under Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 till the date of making actual payment.

The petitioner further prays for issuance of a writ in the nature of Mandamus:

(iii) for direction to the concerned respondent authorities to determine the amount of compensation at the rate recently fixed by the state government and to pay the compound interest at the rate of 12% per annum from the date of



acquisition i.e. 01.02.1976 of surplus land till the date of making actual payment.

The petitioner further prays for issuance a writ/writs, order/orders and direction/directions for following relief/reliefs for which the petitioner is entitled in the facts and circumstances of the case.”

3. After some arguments, learned counsel for the petitioner submits that he be allowed to approach the Bihar Land Tribunal, Patna for redressal of the grievance/against the order dated 01.03.2018 passed by the Commissioner, Darbhanga Division, Darbhanga (Respondent no.3).

4. As such, granting the aforesaid liberty without commenting on the merit of the case, the present writ petition stands disposed of.

5. Needless to add, if such petition is filed in next four weeks, the concerned tribunal shall take into account the fact that matter was pending before this Court.

(Rajiv Roy, J)

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