

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17116 of 2025

1. Manoj Kumar Son of Nityanand Prasad Singh, Permanent R/O Pondoï, Near Thakurbari, P.O.- Pandui, Jehanabad, Bihar- 804417.
2. Mukul Kumar @ Mukul Nityanand Prasad Kumar, Son of Nityanand Prasad Singh, Permanent R/O Pondoï, Near Thakurbari, P.O.- Pandui, Jehanabad, Bihar- 804417. Presently Residing at- Adarsh Colony, Road No. 2, Near Mahavir Complex, New Jaganpura, P.S.- Ramkrishna Nagar, District- Patna.
3. Saket Kumar, Son of Nityanand Prasad Singh, Permanent R/O Pondoï, Near Thakurbari, P.O.- Pandui, Jehanabad, Bihar- 804417. Presently Residing at- Adarsh Colony, Road No. 2, Near Mahavir Complex, New Jaganpura, P.S.- Ramkrishna Nagar, District- Patna.
4. Mukesh Kumar, Son of Nityanand Prasad Singh, Permanent R/O Pondoï, Near Thakurbari, P.O.- Pandui, Jehanabad, Bihar- 804417. Presently Residing at- Adarsh Colony, Road No. 2, Near Mahavir Complex, New Jaganpura, P.S.- Ramkrishna Nagar, District- Patna.
5. Anup Kumar, S/o Thaneshwar Prasad Singh, Permanent R/o Pondoï, Near Thakurbari, P.O.- Pandui, Jehanabad, Bihar- 804417.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Department of Revenue and Land Reforms.
2. The Union of India through the Secretary, Ministry of Road, Transport and Highways, Transport Bhawan, 1, Parliament Street, New Delhi- 110001.
3. National Highway Authority of India, Through its Chairman, Headquarter, G-5 and 6, Sector- 10, Dwarka, New Delhi- 110075.
4. The General Manager, National Highway Authority of India, Headquarter, G- 5 and 6, Sector- 10, Dwarka @ p.s Dwarka sector 9, district south Delhi , New Delhi- 110075.
5. The Collector Cum Land Acquisition Officer, Gaya.
6. The District Land Acquisition Officer, Jehanabad.
7. The Circle Officer, Gaya, Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Akhileshwar Singh (AC to GA-2)
For the UOI	:	Mr. Chandan Kumar Singh, CGC
For the NHAI	:	Mr. Dr. Maurya Vijay Chandra, Advocate
		Mr. Gaurav Govinda, Advocate
		Ms. Preety Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER



2 13-11-2025 Heard the parties.

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

“(i) For issuing Writ of Certiorari directing the Circle Officer, Jehanabad and Land Acquisition Officer, Jehanabad to set aside the letter dated 30.09.2024, wherein they have denied, the Land of the Petitioners have not been acquired, without conducting physical verification.

(ii) For issuing writ directing the Respondents to conduct survey or mandatory measurement of the land situated at Horilganj, Near Battis Bhawariya Pul, Jehanabad, P.S. Jehanabad, Area 0.12 Decimal, Mauja Irki, Thana No.346, Khata No.480, Khesra No.879 For issuing a writ of mandamus or any other appropriate writ directing the Respondent Authorities to pay the petitioner the cost of land and appropriate compensation, if the land has been acquired as entitled under the law for the land in accordance with the provisions of the Right to Fair Compensation and Transparency in Land



Acquisition, Rehabilitation and Resettlement Act, 2013 and subsequent legislation.

(iii) For issuing writ of Mandamus to direct the Respondents to produce and disclose all the relevant Acquisition Records, possession documents or any other relevant documents of the said land and to also clarify the actual acquisition status of the said land.

(iv) For issuing Writ of Mandamus or any other appropriate Writ directing the Respondent authorities to pay the Petitioner the cost of land and appropriate compensation as entitled under the law for acquiring the land of the Petitioner.

(v) For awarding suitable interest as per law for delay in payment of compensation to the Petitioners.

(vi) For any other relief this hon'ble may deem fit and proper in this case.”

3. At the outset, learned State counsel has taken this Court to Annexure-P/4 to the petition i.e. the information under



R.T.I. Act dated 30.09.2024 issued to the petitioner to show that the land in Khata No.480, Khesra No.879, Thana No.346, Mauza- Erki has not been taken for acquisition.

4. It is a case of the petitioners that contrary to the R.T.I information, some part has been taken over. Learned counsel for the petitioners submit that a proper petition shall be filed before the Collector, Gaya (Respondent no.5) detailing out all the facts.

5. Learned State counsel submits that if such petition is filed, the same shall be taken to its logical conclusion.

6. In that background, the writ petition is disposed of allowing the petitioners to file appropriate petition along with supportive documents in next four weeks before the Collector, Gaya (Respondent no.5) who shall be taking the matter to its logical conclusion after hearing all the parties.

(Rajiv Roy, J)

Divyansh/-

U			
---	--	--	--

