

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18677 of 2025

Chandan Kumar Singh @ Chandan Kumar, Son of Late Arun Singh, Resident of Village- Chak Chachaul, P.O. and P.S. - Naubatpur, District- Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Patna, Bihar.
3. The District Land Acquisition Officer, Patna.
4. The Additional District Land Acquisition Officer, Patna.
5. The Circle Officer, Naubatpur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Madhumay Madhup, Adv. Mr. Nilabh Ranjan, Adv.
For the State-resps.	:	Mr. U.S.S. Singh, GP-19

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-11-2025 The instant writ petition has been filed by the petitioner under Article 226 of the Constitution of India seeking the following reliefs :-

(i) To issue a writ in the nature of Mandamus or any other appropriate writ, order or direction commanding the Respondents to forthwith restore and hand over physical possession of the remaining unacquired land bearing Mauja Naubatpur, Thana No. 155, Khata No. 251, Plot No. 26, Area 0.02071 Acre to the Petitioner, which was erroneously treated as acquired but later excluded from acquisition.

(ii) To issue a writ in the nature of Mandamus or any other appropriate writ, order or



direction commanding the Respondents concerned to evict any unauthorized encroacher specifically Private Respondent No. 6 or any other illegal occupant from the aforesaid land and ensure peaceful possession to the Petitioner.

(iii) To issue a writ in the nature of Mandamus or any other appropriate writ, order or direction commanding the Respondents concerned for conducting proper demarcation and boundary verification of the land in question to prevent future encroachment.

(iv) To grant ad-interim relief by directing Respondents concerned to maintain status quo with respect to the nature, character, possession, and present condition of the remaining portion of the land in question, and further restraining any individual(s) from carrying out any construction, alteration, or change thereon, until the final disposal of this Writ Petition.

(v) To grant any other relief, which Your Lordships may deem fit and proper in the interest of justice, equity and good conscience.

2. Mr. Madhumay Madhup, learned counsel for the petitioner and Mr. U.S.S. Singh, learned GP-19 for the State-respondents, are present and they are heard.

3. The main grievance raised by the petitioner in this writ petition is that initially the District Land Acquisition Officer, Patna (respondent No. 3), acquired the petitioner's land pertaining to Khata No. 251, Plot No. 26, of which area is 0.12 acre for construction of 'Bihta Sarmera State Highway-78



Nirman Yojan' and the acquisition process was completed and the petitioner was also given compensation amount of Rs. 22,11,522/- for the acquired land through Land Acquisition Case No. 02/2012-13 and thereafter, the petitioner received a letter bearing Memo No. 648 dated 24.03.2022 (Annexure-P/2) issued by the District Land Acquisition Officer (respondent No. 3), whereby he was directed to refund the excess compensation amount of Rs. 3,81,672/- on or before 08.04.2022 and consequently, the petitioner paid the said excess amount through Bank Draft No. 326077 dated 13.07.2022 (Annexure-P/6). In response to the initial letter dated 24.03.2022 issued by the District Land Acquisition Officer (respondent No. 3), the petitioner submitted his detailed reply, in which he showed his Title and rightful ownership over the land in question and as the petitioner has refunded the said excess amount in respect of 0.02071 acre of land that has been excluded from the execution process, so, he is entitled to get the possession of the same and in this regard, he has filed several representations by way of Annexures – 'P/3, P/6 & P/7' but no action has been taken. Though in the notice (Annexure-P/2), it has been shown that the petitioner's share in respect of the acquired land is only to the extent of 0.09929 acre but the said fact is not correct and for



redressing this issue, the petitioner’s said representations are not being decided.

4. This Court is of the view that the issue raised by the petitioner, discussed above, is premature for consideration under writ jurisdiction of this Court, however, the Circle Officer, Naubatpur, Patna (respondent No. 5), who is said to be the competent authority to decide the petitioner’s issue, is directed to decide the petitioner’s representation according to merit, as per the provisions of law, within four weeks from the date of receipt of a copy of this Court’s order or production of the same. Accordingly, the instant writ petition stands disposed of.

(Shailendra Singh, J)

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