

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.683 of 2025

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1. Vipin Singh S/o- Late Acche Lal Singh Resident of Village- Gadhirampur, P.S.- Naya Ramnagar, District- Munger.
 2. Lakhpati Chaudhary, S/o- Late Mahi Chaudhary Resident of Village- Gadhirampur, P.S.- Naya Ramnagar, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
2. The Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Munger Division, Munger-Cum-Arbitrator.
4. The District Magistrate, Munger, District- Munger- Cum- Chairman of Six Men Committee.
5. The Project Director, National Highway Authority of India, (Munger Mirja Chowki Four Lane Munger Unit) PIU, Munger.
6. The District Land Acquisition Officer-Cum- Competent Authority, Munger, District- Munger.
7. The Circle Officer, Jamalpur, District- Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Singh, Advocate
For the State	:	Mr. Additional Advocate General (7)
For Resp. no.5	:	Mr. Rajesh Kumar Shandilya, Advocate Ms. Ankita Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-01-2025 Heard Learned Counsel for the petitioners, Learned Counsel for the State and Learned Counsel for Respondent no.5.

2. The present writ petition has been filed for commanding and directing the Respondent no.4 to submit the enquiry report before Respondent no.3 in view of the order dated 31.07.2024 passed in Land Acquisition Case No.183 of



2023 & 184 of 2023 and further directing the respondent no.3 to decide the Land Acquisition Case No.183 of 2023 & 184 of 2023 as the respondents have taken possession of the land of petitioners on 27.11.2024 treating the land of the petitioners as Agriculture land whereas, the fact is that the enquiry report submitted by the respondent no.7 pursuant to direction of respondent no.6 clearly shows that acquired land of the petitioners is within 200 meters of village mahmada.

3. Learned Counsel for the petitioners submits that their land has been acquired for construction for NH in District-Munger. Counsel submits that in true spirit of the statute of NHAI, 1956, petitioners have represented before the Divisional Commissioner, Munger Division and the learned Divisional Commissioner has passed orders in Land Acquisition Case No.184 of 2023 on 06.03.2024 and again on 31.07.2024 as well as in Land Acquisition Case No. 183 of 2023 on 31.07.2024, the Commissioner sought a report with a view to ascertain that whether house of the petitioners is situated within the distance of 200 meters from the acquired land or not. But, even after direction made by the Commissioner, Munger, the District Magistrate, Munger has not complied the said order.

4. Learned Counsel for the State has taken instruction



on phone and submits to this Court that the District Magistrate, Munger shall comply the order within a week.

5. In this background, since issue is very limited so this Court hereby disposed off this writ petition on the undertaking made by the State Counsel appearing on behalf of District Magistrate. But, the conduct which has been shown by the District Magistrate on record, it transpires to this Court that the District Magistrate has no respect for his superior who has passed order in quasi judicial proceeding and instructed to his subordinate authority to comply and submit a report.

6. Liberty is hereby granted to the petitioners that in case, within 30 days as undertaking given by the District Magistrate through his counsel, order passed by the Commissioner mentioned above shall not be complied, then petitioners shall be at liberty to file the contempt petition before this Court.

(Dr. Anshuman, J)

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