

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2715 of 2026

Nitu Jain W/o Anup Kumar Jain, R/o- A/4, Gandhi Nagar, Boring Road, P.S.-
Sri Krishnapuri, P.O.- G.P.O., Town and District Patna, 800001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar Patna.
2. The Principal Secretary, Revenue and Land Reforms Govt. of Bihar, Patna.
3. The District Magistrate-cum-Collector, Motihari, East Champaran.
4. The District Land Acquisition Officer, Motihari, East Champaran.
5. The Circle Officer, Raxaul, East Champaran.
6. The National Highway Authority, Ministry of Road Transport and Highway, Govt. of India, G-5 and 6 Sector 10, Dwarka New Delhi through its Chairman.
7. The Regional Office, National Highway Authority, Ministry of Road Transport and Highway, Govt. of India, S. K. Puri, Patna, Bihar, through its Regional Officer.
8. The Regional Officer, National Highway Authority, Ministry of Road Transport and Highway, Govt. of India, S. K. Puri, Patna.
9. The Project Director, NH-28A, Project Implementation Unit, Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ram Kumar Singh, Advocate
For the Respondent/s	:	Mr.Rajeshwar Singh, GA(10)
		Mr.Jitendra Kumar, AC to GA10
For the NHAI	:	Mr.Saket Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-02-2026 Heard Mr. Ram Kumar Singh, learned counsel appearing on behalf of the petitioner and Mr. Rajeshwar Singh, learned GA(10), along with Mr. Jitendra Kumar, learned AC to GA10 for the State and Mr.Saket Tiwary, learned counsel for the NHAI.

2. The petitioner in paragraph no. 1 of the present writ



petition has sought *inter alia* the following relief(s), which is reproduced hereinafter:-

“1. That, this Writ application is being filed for issuance of a appropriate direction in the nature of Writ(s)/Order(s)/direction(s), commanding the Respondents for the following relief:

“I. To quash the acquisition notice pertaining to the land of the Petitioner acquired vide Gazetteer Notification dated 28.10.2010 issued and published by the National Highway Authority of India for construction of NH-28A as well as restraining the Respondents from making any construction over the rayati land of the Petitioner bearing (i) Khata No- 56, Khesra No- 579 Mauza Singhpur, Tauzi No-951, area 58.5 Decimal, (ii) Khata No- 64 Khesra No- 243, Mauza Chikni, Tauzi No- 951, P.S. Raxaul, (iii) Khata No- 67 Khesra No-244, Mauza Chikni, Area 32 Decimal, P.S. Raxaul, District East Champaran as neither the name of the Petitioner-owner has been published in the Gazetteer publication so published on 28.10.2020, nor personal notice has been ever given to her regarding acquisition of her land.

II. To command the Respondents to release the land of the Petitioner from the above mentioned illegal acquisition as and direct the concerned Land Acquisition Authority to initiate fresh proceeding for acquisition of land of the Petitioner (if required) and make award after proper verification of the present valuation and market rate of the land which is a commercial land and accordingly pay compensation under the "RFCTLARR Act, 2013 because the acquisition made vide notification dated 28.10.2010 under the old Act has been laps as neither award has been prepared and paid the Petitioner nor physical possession has been taken even after laps of more than a decade.

III. To take appropriate legal action against the erring Respondents for committing misdeeds by not making publication for acquisition in the name of the Petitioner though her name was mutated and Jamabandi was created in her name much prior to the publication of above stated Gazetteer notification dated 28.10.2020, putting the Petitioner in economic, physical and mental agony and direct the Respondents to pay compensation for mental and physical sufferings.

IV. To issue such other appropriate order or direction for which the Petitioners are entitle under the facts and circumstances of the present case.”



3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is aggrieved by the non-payment of compensation in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, in respect of the land described in paragraph nos. 7 and 8 of the writ petition. The petitioner has brought the sale deeds on record by way of Annexure-1 series to the writ petition. Pursuant to the execution of the sale deeds, mutation was effected in favour of the petitioner, and the name of his vendor was deleted by the Circle Officer in accordance with the provisions of the Bihar Land Mutation Act, 2011, however, the District Land Acquisition Officer has refused to make payment of compensation to the petitioner.

4. Considering the aforesaid information, the petitioner is directed to file a representation before the District Magistrate-cum-Collector, East Champaran. The District Magistrate-cum-Collector, East Champaran shall call for the relevant records from the concerned Circle Officer in respect of the land in question to verify the claim of the petitioner over the land, which he has claimed to be mutated in his name on the basis of the registered sale deed and if the land in question is



found to be free from any dispute and incumbrance then in that case, the District Magistrate-cum-Collector shall exercise his jurisdiction in accordance with law and ensure that appropriate directions are issued to the District Land Acquisition Officer to make payment of compensation to which the petitioner is entitled received in respect of the area acquired. The entire exercise shall be completed within a period of six weeks from the date of communication of this order.

5. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

Ashishsingh/-

U			
---	--	--	--

