

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1220 of 2020

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Arvind Kumar Son of Shambhu Singh, resident of Village- Siswa Patna, P.S.
Kesaria, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal secretary, Rural Development Department, Government of Bihar, Patna.
2. The Collector, East Champaran at Motihari.
3. The Executive engineer, Rural Development Department, Work Division Chakia, East Champaran.
4. The Sub- Divisional Officer, Chakia, Sub Division, East Champaran.
5. The Circle Officer, Kalyanpur Circle Office, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the State : Mr. Vikash Kumar (Sc11)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

10 16-07-2026 Heard Mr. Karandeep Kumar, learned counsel for the

petitioner and learned counsel representing the State.

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

*(i) for directing the respondents to
remove the illegal construction of
road having been made raiyati8 land
of over the the petitioner
appertaining to khata No. 45 Khesra
No. 45, 27, 48, 49 Thana No. 199
having an area 7 decimal, Khesra*



No. 1418, 1419, 1421 Thana No. 200 having an area 5 decimals and Khesra No. 50 Thana No. 199 having an area 7 decimals total 19 decimal of land over which a constructed under Mukhyamatri Gram road has been the scheme of Sampark Yojna in the village of Siswa Patna of Kalyanpur block of District- East Champaran from "KAEDAM CHOWK SISWA PATNA TO KHUDRA TOLA' without betting permission/consent since the land in questions are raiyati land of the petitioner which is mandatory under the Scheme in question.

(ii) also for commanding the respondent to either acquire the land in question and make compensation to the petitioner or remove the land in question from construction of road over the land in question over which



the petitioner is having right title and interest.

(iii) also for any other reliefs(s) for which petitioner is found to be entitled in the eye of law as well as the facts and circumstances of the case.

3. The details of the petitioner's land stand incorporated in paragraph no. 1 and need no repetition.

4. The contention is that in the Village- Siswa, Patna under Block Chakia in the District of East Champaran, a road was to be constructed between Kaedam Chowk, Siswa, Patna to Khudra Tola under Mukhyamantri Gramin Sampark Yojna (henceforth for short 'The Yojna').

5. The stand of the petitioner is/was that on his raiyati land, forcibly, the road that was to be constructed, his land was also taken for it despite protest. Further, no compensation was paid to him forcing him to move before the Patna High Court.

6. The supplementary counter affidavit filed on behalf of the Rural Works Department, Bihar, Patna duly signed by the Executive Engineer, Rural Works Department, Chakia, East Champaran in paragraph no. 9 records that the Department



decided to pay compensation to the petitioner against his raiyati land and the process was initiated. The present status is that a sum of Rs.13,52,800/- has been paid to the petitioner vide cheque dated 09.02.2026 and the learned counsel representing the petitioner acknowledges the said payment.

7. It seems that the said payment was made following the order of the Collector, East Champaran, Motihari vide Memo no. 288 dated 17.07.2025 (Annexure R/1 to the supplementary counter affidavit).

8. The Claim of the petitioner that on his raiyati land, illegal construction took place has been accepted. Another claim that he be compensated has also been accepted. Now, the only contention that has come up on behalf of the petitioner that it is actually a residential property but calculating the amount clubbing it in the category of agricultural land, the payment has been made.

9. Learned State Counsel has provided letter no.1552 dated 18.03.2026 to submit that under the chairmanship of the Additional Collector, East Champaran, Motihari, seven members committee has been constituted but the delay occurred due to the strike of the Revenue Officers/Officials.

10. Taking into account the development that has



taken place and now only categorization of land is to be decided, a Committee under the Additional Collector, East Champaran, Motihari has already been constituted, it would be appropriate that the petitioner approaches the Collector, East Champaran, Motihari in next four weeks.

11. Once the petitioner approaches along with the copy of the order of the Court within four weeks to the office of the Collector, East Champaran, Motihari, he/she shall ensure that the enquiry report reaches the office if still not submitted in next four weeks. Needless to add, the Collector, East Champaran, Motihari thereafter shall be passing an appropriate order within a period of next four weeks. To sum up, from today, within a period of three months, the entire process has to be concluded.

12. With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

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