

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8591 of 2017**

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Jai Prakash Yadav @ Prakash Yadav and Anr

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : None

For the Respondent/s : Mr. Anjani Kumar-AAG4

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      27-02-2026                      No one appears on behalf of the petitioner though State  
is present.

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

(i) *For direction upon the respondents authorities to return 3.38 acres of land to the petitioners which have been acquired for construction of Bateshwar Asthan, Ganga Pump High Level Main Canal at Kahalgaon within Bhagalpur District vide Land Acquisition Case No. 2 of 1980-81 but till this date the said land of the petitioners have not been utilized and the land of the petitioners is lying vacant due to change of alignment of the canal as such in view of section 101 of the Land Acquisition Act, 2013 the petitioners are legally entitled to return their respective land.*

(ii) *For direction upon the respondents to grant deprivation to the petitioners as the poor petitioners are deprived*



*of their land since 1981 and the said land is lying vacant due to change of alignment of the canal.*

*(iii) This writ application is also for further direction to the respondents to grant any such other relief of reliefs for which the petitioners are found legally entitled.*

3. A counter affidavit of the Special Land Acquisition Officer, Medium Irrigation Project, Bhagalpur dated 17.08.2017 and served upon learned counsel for the petitioner on 22.08.2017 is on record. It shows that pursuant to the acquisition, the compensation amount was paid/received at the rate prevalent then, physical possession taken and handed over to the concerned Executive Engineer and in that background, it cannot be returned.

4. As recorded, the affidavit was handed over to the learned counsel for the petitioner in the year 2017 and there is no rebuttal to it.

5. However, since there is no appearance, the writ petition is dismissed for non-prosecution.

**(Rajiv Roy, J)**

Vijay Singh/-

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