

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2251 of 2026

-
1. Shri Prakash Chandra Son of Late Dhanusdhari Prasad Gupta, Resident of Village/ Mohalla- Panch Mandir Road, P.S.- Motihari Town, District- East Champaran.
 2. Umesh Chandra, Son of Late Dhanusdhari Prasad Gupta, Resident of Village/ Mohalla- Panch Mandir Road, P.S.- Motihari Town, District- East Champaran.
 3. Suresh Chandra, Son of Late Dhanusdhari Prasad Gupta, Resident of Village/ Mohalla- Panch Mandir Road, P.S.- Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary Land and Revenue Department, Government of Bihar, Patna.
2. The District Collector cum District Magistrate, East Champaran at Motihari.
3. District Land Acquisition Officer, East Champaran, Motihari.
4. The Circle Officer, Areraj, P.O. Areraj, Dist.- East Champaran.
5. The Executive Engineer, Local Area Engineering Organization, Works-Division-1, East Champaran at Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Respondent/s : AC to Standing Counsel (4)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-02-2026 Heard learned counsel appearing on behalf of the

petitioners and learned APP for the State.

2. The petitioners in paragraph no. 1 of the present writ petition have sought, *inter alia*, the following relief(s), which is reproduced hereinafter:-

“1. That the petitioners seeks the following relief through the present writ petition:-

i. For issuance of a writ in the nature of mandamus commanding and Directing



the Respondent's to pay adequate compensation accordance with the provision of the land acquisition Act for the land encroached situated under the Mauja- Barwa, Khata No- 213. Plot No- 1598 & 1599 belongs to the ancestor of the petitioners which are the Khatiyani lands and the jamabandi are running in the name of the ancestor of the petitioners.

ii. For issuance of a writ in the nature of mandamus commanding and directing the Respondent's to remove the encroachment made by the Respondents from the land of the petitioners situated under Mauja- Barwa, khata No 213, Plot no 1598 & 1599.

iii. For issuance of a writ in the nature of mandamus commanding and Directing the Respondent's to pay compensation of the encroached land along with the suitable market interest to the petitioners forthwith and to remove the encroachment and after the removal the damage & loss may be directed to be paid to the petitioners.

iv. For issuance of a writ in the nature of mandamus commanding and Directing the District Land Acquisition officer. Fast Champaran, Motihari (Respondent N.3) to take necessary steps on the application dated 12-07-2024 (Annexure-P/8) filed by petitioners and passed necessary order with regard to grant of compensation of the land of petitioners including to pass an award of the land of petitioners.

v. To grant any other relief or reliefs for which the petitioners are entitled from the facts and circumstances of the case.”

3. Learned counsel appearing on behalf of petitioners submitted that the District Magistrate-cum-Collector *vide* order dated 25.04.2024 (Annexure – P/7) in respect of the entitlement of the petitioners and his co-sharer to receive the amount of compensation had directed the Land Acquisition Officer to conduct a proper hearing as per the rules but the Land Acquisition Officer is sitting tight over the application filed by



the petitioner.

4. Considering the relief(s) as sought for in the present writ petition, as well as, in spite of the specific direction of the District Magistrate, the Land Acquisition Officer has not taken any action which requires interference of this Court.

5. I direct the District Land Acquisition Officer to redress the grievance of the petitioners and determine the amount of compensation on the basis of Minimum Value Register (MVR) in accordance with the law.

6. The Land Acquisition Officer is directed to dispose of the application filed on behalf of the petitioners in accordance with law or in alternative the District Magistrate himself may proceed to take action if he finds that the petitioners have undisputed title over the land and if there is any encroachment over the said land the same is directed to be removed in accordance with law.

7. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

Ashishsingh/-

U			
---	--	--	--

