

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1701 of 2026

1. Kakolat Road Muawza Samiti, through its Secretary, Krishna Kumar Singh @ Lalan Singh Son of Late Bengali Singh, Resident of Village - Dihi, Post Office - Rajhat, Police Station - Akbarpur, District - Nawada.
2. Krishna Kumar Singh @ Lalan Singh, Son of Late Bengali Singh, Resident of Village -Dihi, Post Office Rajhat, Police Station Akbarpur, District - Nawada.
3. Qazi Syed Monum, Son of Late Ahmad Raza, Resident of Village and Post Office Rajhat, Police Station - Akbarpur, District - Nawada.
4. Arvind Kumar Ghosh, Son of Balram Prasad Yadav, Resident of Village - Balia Buzurg, Post Office - Rajhat, Police Station - Akbarpur, District -Nawada.
5. Rohan Prasad, Son of Late Mauji Saw, Resident of Village Akbarpur, Azad Mohalla, Post Office - Rajhat, Police Station - Akbarpur, District - Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Director, Land Acquisition, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The District Magistrate - cum - Collector, Nawada.
4. The District Land Acquisition Officer, Nawada.
5. The Registrar, Registry Office, Nawada.
6. The Deputy Development Commissioner, Nawada.
7. The Deputy Collector Land Reforms, Rajauli, Nawada.
8. The Circle Officer, Akbarpur, District - Nawada.
9. The Circle Officer, Govindpur, District - Nawada.
10. The Circle Officer, Meskaur, District - Nawada.
11. The Circle Officer, Narhat, District - Nawada.
12. The Circle Officer, Hisua, District - Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rashid Izhar, Advocate. Mr. Syed Md. Ibrahim Quli, Advocate.
For the Respondent/s	:	Mr. Ravi Kumar, AC to GP-13. Mr. Akshay Lal Prasad, AC to GP-13.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER



2 03-02-2026 Heard learned counsel appearing on behalf of the petitioners and learned counsel for the State.

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

“(I) Issuance of Writ or Writs in the nature of certiorari quashing the Award Notice dated 17-18.07.2025, which is prepared without submission or availability of the mandatory Report for determination of nature and category of land under section 37(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and in conflict with the direction issued in this context by the Government of Bihar which is prepared in haste even when the District Land Valuation Committee was constituted on 19.05.2025

(II) Issuance of Writ or Writs in the nature of mandamus commanding the Respondents to act upon the Order of Government of Bihar dated 22.04.2025 and only after assessment of the nature and category of the land in terms of action, vide Order dated 19.05.2025, as directed by the Respondent District Magistrate -cum-Collector to take further course to prepare the respective Awards in favour of the Title Holders of the land under acquisition and the wrongful and contrary action of the Respondent is causing wide spread grievance among the citizens resulting into huge future pendency of litigation in Courts and before administration.

(III) For issuance of Writ or Writs in the nature of mandamus commanding the Respondent Collector cum-District Magistrate to reassess and prepare a new Award in favour of the Petitioners towards the proposed acquisition of land for SH 103 Manjve Govindpur Path Project and direct for strict compliance of section 26 and 28 of the Act by the District Land Acquisition Authorities.

(IV) Grant any other relief or reliefs to which the Petitioners may be found entitled to in the facts and circumstances of this case.”

3. The petitioners are aggrieved by the action of the District Magistrate cum Collector who allegedly without following the procedure as prescribed under Section 26 of the



Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation And Resettlement Act, 2013 (hereinafter referred to as “Act, 2013”) with regard to determination of nature and category of land and in spite of the representation filed by the similarly situated persons and the petitioners on 31.05.2025, has erroneously calculated the Award without giving opportunity to the petitioners and has also issued Award notice under Section 37(2) of the Act, 2013 along with a detailed Award in favour of the petitioner nos. 2 to 5 on 17.07.2025. Petitioners are aggrieved by the illegal fixation of the Award on the basis of the nature of the land as mentioned in Khatiyani and the sale deed of the petitioners and similarly situated persons. Learned counsel submitted that in course of time, the nature of land has changed. The petitioner has purchased the said land for amount of Rs. 20 lacs by depositing required stamp duty to the government. The petitioners have claimed that they are entitled for higher compensation at the existing MVR in the area. Petitioners have been able to bring on record the value of the land by way of registered sale deed and on the basis of the MVR determined by the State Government, they have made payment of required stamp duty.

4. In view of the recorded evidence and the



established MVR of the area, in which vicinity, petitioners' land has been acquired, I find it proper that the concerned authority must give due regard to the same and recalculate the amount of Award at the current rate of MVR so that the petitioners should not be made to suffer financially in any manner. The claim of the petitioners is supported by the judgment of the Apex Court in the case of *Indore Development Authority Vs. Manohar Lal & Ors., reported in AIR 2020 SC 1496* and the amendment brought in the Act, 2013 in the year 2018. Admittedly, in the present case, the petitioners have not received the amount of compensation till date.

5. The writ petition, accordingly, stands disposed of.

(Purnendu Singh, J)

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