

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1856 of 2026

Dr. Rabindra Nath Singh S/o Late Madhava Prasad Singh R/o- Village and P.O. - Akhgaon, P.S.- Sardesh, District - Bhojpur (Presently residing at A- 87, Near Manokamana Mandir, Anand Vihar Colony, P.S. Rupaspur, District - Patna).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Revenue and Land Reforms, Bihar, Patna.
2. The Collector, Bhojpur at Ara.
3. The District Land Acquisition Officer, Ara at Bhojpur.
4. The Circle Officer, Sandesh, Ara at Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar, Advocate
For the Respondent/s : Mr.Standing Counsel (4)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-03-2026 Heard Mr. Awadhesh Kumar, learned counsel for the petitioner and the State.

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

(i) for setting aside the order dated 12.12.2024 passed in Misc. Case no. 04/2024 by the Collector, Bojpur at Ara, whereby the representation of the petitioner, dated 12.11.2024, has been disposed and has rejected the representation of the petitioner, without considering and deliberating the



issues which had been raised by the petitioner to be decided and the representation of the petitioner has been decided by the Collector, Bhojpur at Ara on the basis of a non-reasoned and a non-speaking order;

(ii) for directing the respondent authorities to address the issues raised by the petitioner, in the representation dated 12.11.2024, which had been preferred in consonance with the direction passed in CWJC no. 18228 of 2021 and dispose of the representation accordingly, since the order dated 12.12.2024 passed by the Collector, Bhojpur at Ara has evaded to address the relevant issues, concerning which the Hon'ble High Court had directed to prefer the representation;

(iii) for directing the respondent authorities concerned, to dispose and pass appropriate orders, while considering the fact that the land of the petitioner bearing Khata No. 47,



Khesra No. 1439, Thane No. 212, Aron 50 decimals, situated at Mauza Akhgaon, PS-Sandesh, District- Bhojpur was acquired in the Year 1977-78, by the Respondent State for rehabilitation of displaced flood affected persons of Village Saripur of Bhojpur district, but the same has neither been occupied by any such person nor has the same been put to use in any manner whatsoever, till date since its acquisition in the year 1977-78 and the physical possession of the land is still with the petitioner, hence, the said acquisition having lost its relevance and the intent and purpose of the acquisition having become redundant, the land be returned back to the petitioner;

(iv) for declaring the land acquisition process, initiated in the year 1977 with regard to the land appertaining to Khata No. 473, Khesra No. 1439, Thana No. 212. Area So decimals, situated at Mauza Akhgaon, P.S.-Sandesh, District-Bhojpur, as deemed to



have lapsed, in view of the fact that the physical possession of the land has not been taken till date, while the petitioner or his ancestors have not received the compensation till date, in protest;

(v) for directing the respondent authorities to return back the acquired land to the petitioner, after holding the proceeding to have lapsed in terms of the provision under Section 48 of the Land Acquisition Act, 1894;

(v) for passing appropriate orders and the records of the land acquisition being undertaken in the year 1977 78 and the present day status of such acquisition, be called for and upon verifying the same, appropriate directions be passed for returning back the lands to the petitioners, If found that the lands have neither been occupied by the purcha holders/beneficiaries, nor the same have been put to any such use and remains



unutilized till date;

(vi) for directing the Respondent authorities to not disturb/occupy, the peaceful and exclusive possession of the petitioner over the acquired land in the facts and circumstances of the case;

(vii) for such other relief(s), writ(s), direction(s) to which the petitioners may be entitled to in the facts and circumstances of the present case.

3. The details of the land is already there in the prayer portion (1c) and as such no repetition required.

4. The stand of the petitioner is that neither the compensation was offered/accepted nor the possession ever taken and they are in peaceful physical possession of the land in question since the year 1977-78 and in that background, it is high time that when the land has not been used, it be released to the petitioner.

5. Learned State counsel submits that it is decades old acquisition (1977-78) and in that background, it will not be proper to release the same in favour of the petitioner and the order dated 12.12.2024 passed by the Collector, Bhojpur needs



no interference.

6. Learned counsel for the petitioner submits that it will suffice if he is allowed to approach the departmental head, the Additional Chief Secretary, Revenue and Land Reforms Department, Bihar, Patna (respondent no.1).

7. Learned State counsel has no objection.

8. Considering the limited submission put forward by the learned counsel for the petitioner and taking into account the aforesaid prayer/submission put forward by Mr. Kumar, the writ petition is disposed of allowing the petitioner to approach the respondent no.1 with comprehensive petition in next eight weeks who shall be duty bound to pass an appropriate order within a period of six month from the date of filing of the petition.

(Rajiv Roy, J)

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