

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3547 of 2025

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Ram Prakash Das Son Of-Late Dev Narayan Das, Resident of Village-Ward
no 7, Shyampatti, Post-Thahar Sarabe, P.S-Khajauli, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Revenue Department, Government of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The Special Land Acquisition Officer, Koshi Project, Darbhanga.
4. Executive Engineer, Western Koshi Nahar Division, Darbhanga.
5. Executive Engineer, Western Koshi Nahar Division, Sakri Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar Thakur, Advocate
For the State : Mr. Government Pleader (20)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 07-07-2026 Heard Mr. Shankar Kumar Thakur, learned counsel
for the petitioner and Mr. Mrigank Kumar for the State.

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

*(i) for direction to the respondent
no. 3 to make payment the amount
of compensation to the petitioner in
Land Acquisition Case No.
02/2008 on account of acquisition
of land falling under Khata No.
398, Khesra No. 2758, measuring*



22 decimals, situated in Mauza- Enarwa, P.S- Khajauli, District- Madhubani for construction of Inerba Laghu Nahar under West Kashi Canal Project.

(ii) for direction to the respondent no. 3 to make payment the amount of compensation to the petitioner in Land Acquisition Case No. 03/2008 corresponding to Reference Case No. 32/2005-06 on account of acquisition of land falling under Khata No. 398, Khesra No. 2699 (Old 1570), measuring 2.5 decimals, situated in Mauza- Inerwa, P.S- Khajauli, District- Madhubani for Inerba Laghu Nahar under Western Kashi Canal Project.

3. The land details available in paragraph no. 1 and need no repetition.

4. The land was acquired for the purpose of



construction of Kashi Canal Project two decades ago, the litigation took place in the matter, resulting into the case being referred to the learned Land Acquisition Judge, Madhubani, in Land Acquisition Case No. 02 of 2008. Once the parties compromised it, the aforesaid land acquisition case was allowed. In the meantime, the compensation amount was deposited with the Land Acquisition, Rehabilitation and Resettlement Authority (LARRA).

5. The contention of the petitioner is that since in the meantime the Land Acquisition, rehabilitation and Resettlement Act of 2013 of the Land Acquisition Act came into picture, the compensation should be paid on the basis of the present Act.

6. A counter affidavit has come on behalf of the respondents duly signed by the Executive Engineer, Western Canal Division, Darbhanga and sum and substance of it is that due to dispute between the parties, the matter went before the concerned court. The compensation was decided and as such the parties are entitled to the amount only on the basis of the old Act.

7. Learned counsel for the petitioner submit that is going to accept the compensation amount under protest reserving his rights to fight the legal battle so far as the



compensation amount under new Act is concerned.

8. Learned State counsel has no objection.

9. In that background, the writ petition is disposed of allowing the petitioner to approach the concerned authority armed with all the documents to show his bonafide regarding the land in question and if it is found in order, the amount has to be immediately released and in no case beyond eight weeks.

(Rajiv Roy, J)

Ravi/-Ankita

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