

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.578 of 2025

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Om Prakash Tiwari S/o Late Sheoji Tiwari, R/o Village-Badarjimi, P.S.-
Mirganj, District-Gopalganj, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner
Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Gopalganj.
3. The Additional Collector, Gopalganj.
4. The Secretary, Department of Industry, Govt. of Bihar, Patna.
5. The Managing Director, Bihar Industrial Area Development Authority
(BIADA), Bihar, Patna.
6. The Executive Director, Bihar Industrial Area Development Authority
(BIADA), Patna.
7. The Managing Director, Bihar State Sugar Mill Corporation, Patna.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 1853 of 2025

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Parma Mallah S/o Mahajan Mallah, R/o Village- Badarjimi, P.S- Mirganj,
District- Gopalganj, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum-Commissioner
Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Gopalganj.
3. The Additional Collector, Gopalganj.
4. The Secretary, Department of Industry, Govt. of Bihar, Patna.
5. The Managing Director, Bihar Industrial Area Development Authority
(BIADA), Bihar, Patna.
6. The Executive Director, Bihar Industrial Area Development Authority
(BIADA), Patna.
7. The Managing Director, Bihar State Sugar Mill Corporation, Patna.

... .. Respondent/s

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with

Civil Writ Jurisdiction Case No. 1874 of 2025

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Shivbachan Bhagat S/o Shri Kishun Bhagat, Village- Kharpakwa, P.S.-
Mirganj, District- Gopalganj, Bihar.



... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum-Commissioner Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Gopalganj.
3. The Additional Collector, Gopalganj.
4. The Secretary, Department of Industry, Govt. of Bihar, Patna.
5. The Managing Director, Bihar Industrial Area Development Authority (BIADA), Bihar, Patna.
6. The Executive Director, Bihar Industrial Area Development Authority (BIADA), Patna.
7. The Managing Director, Bihar State Sugar Mill Corporation, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 10636 of 2025

Sanjay Singh S/o Chandrama Singh Resident of Village- Kharpakwa, P.S.- Mirganj, District- Gopalganj, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary- Cum- Commissioner, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Gopalganj.
3. The Additional Collector, Gopalganj.
4. The Secretary, Department of Industry, Govt. of Bihar, Patna.
5. The Managing Director, Bihar Industrial Area Development Authority (BIADA), Bihar, Patna.
6. The Executive Director, Bihar Industrial Area Development Authority (BIADA), Patna.
7. The Managing Director, Bihar State Sugar Mill Corporation, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 2995 of 2026

Saharan Mallah Son of Late Basman Sahani, Resident of Village- Badarjimi, Police Station- Mirganj, District- Gopalganj (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner,



- Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Gopalganj.
 3. The Additional Collector, Gopalganj.
 4. The Secretary, Department of Industry, Government of Bihar, Patna.
 5. The Managing Director, Bihar Industrial Area Development Authority (BIADA), Bihar, Patna.
 6. The Executive Director, Bihar Industrial Area Development Authority (BIADA), Bihar, Patna.
 7. The Managing Director, Bihar State Sugar Mill Corporation, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 3090 of 2026

Naresh Sahani @ Naresh Mallah Son of Ganesh Sahani, resident of Village-Badarjimi, Police Station- Mirganj, District-Gopalganj, (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Gopalganj.
3. The Additional Collector, Gopalganj.
4. The Secretary, Department of Industry, Government of Bihar, Patna.
5. The Managing Director, Bihar Industrial Area Development Authority (BIADA), Bihar, Patna.
6. The Executive Director, Bihar Industrial Area Development Authority (BIADA), Patna.
7. The Managing Director, Bihar State Sugar Mill Corporation, Patna.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 578 of 2025)

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate
For the Respondent/s : Mr. Government Advocate (09)
: Mr. Lalit Kishore, Sr. Advocate
: Mr. Gyan Shankar, Advocate
: Mrs. Vagisha Pragya Vacaknavi, Advocate

(In Civil Writ Jurisdiction Case No. 1853 of 2025)

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate
For the Respondent/s : Mr. Government Pleader (24)
: Mr. Lalit Kishore, Sr. Advocate
: Mr. Gyan Shankar, Advocate
: Mr. Abu Nasar, Advocate

(In Civil Writ Jurisdiction Case No. 1874 of 2025)

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate



For the Respondent/s : Mr. Standing Counsel (03)
: Mr. Lalit Kishore, Sr. Advocate
: Mr. Gyan Shankar, Advocate
: Mr. Abu Nasar, Advocate
(In Civil Writ Jurisdiction Case No. 10636 of 2025)
For the Petitioner/s : Mr. Aakash Choudhary, Advocate
For the Respondent/s : Mr. Government Advocate (05)
: Mr. Lalit Kishore, Sr. Advocate
: Mr. Gyan Shankar, Advocate
(In Civil Writ Jurisdiction Case No. 2995 of 2026)
For the Petitioner/s : Mr. Ajay Mishra, Advocate
For the Respondent/s : Mr. Standing Counsel (22)
: Mr. Lalit Kishore, Sr. Advocate
: Mr. Gyan Shankar, Advocate
: Mr. Ayush Kumar, Advocate
(In Civil Writ Jurisdiction Case No. 3090 of 2026)
For the Petitioner/s : Mr. Ajay Mishra, Advocate
For the Respondent/s : Mr. Standing Counsel (24)
: Mr. Lalit Kishore, Sr. Advocate
: Mr. Gyan Shankar, Advocate
: Mr. Mukesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 30-03-2026 Heard the parties.

2. The present petitions have been preferred for the grant of following relief(s):

CWJC No. 578 of 2025

“(i) release of the lands of the Petitioner from the Bihar Industrial Area Development Authority (hereinafter referred to in short as BIADA), as the lands in question belonging to the petitioner were never acquired by the State of Bihar/Concerned Respondents in terms of Section 4A and 9 of the BIADA Act, 1974 and have illegally been transferred in favour of the BIADA by a mere notification



without giving proper notice (without details of the controversy) to the petitioner and without considering his contentions on the point of law and facts and as also without following the provisions of Right to Fair Compensation And Transparency in Land Acquisition, Rehabilitation, Resettlement Act 2013 and for commanding the Respondents to pay the compensation in accordance with the law, if lands of the Petitioner is required by the State.

(ii) setting aside all the consequential proceedings/order(s) to the extent to which it declares the Petitioner's land in Khata No. 104-Plot No.227 Khata No.105, Plot No.271, 283, 226 and in Khata No.106 -Plot No.274 to be incorporated in the land of BIADA as industrial area i.e.. land of S.K.G Distillery along with 105.29 acres of land without service of proper notice.

(iii) holding and declaring that the concerned respondents were not authorized under any Act to transfer the raiyati lands of the



present petitioner in favour of the BIADA, especially without initiating any proceedings for transfer in favour of BIADA.

(iv) restraining the respondent authorities from evicting the petitioner from his raiyati lands in question, as the petitioner has been in complete possession of the same, but the concerned Respondents are making physical changes to the property by carrying out construction work over the said property.

(v) granting any other relief/reliefs for which the petitioner may be found entitled in the facts and circumstances of the case.”

CWJC No. 1853 of 2025

“(i) release of the lands of the Petitioner from the Bihar Industrial Area Development Authority (hereinafter referred to in short as BIADA), as the lands in question belonging to the petitioner were never acquired by the State of Bihar/Concerned Respondents in terms of Section 4A and 9 of the BIADA Act, 1974 and have illegally been transferred in



favour of the BIADA by a mere notification without giving proper notice (without details of the controversy) to the petitioner and without considering his contentions on the point of law and facts and as also without following the provisions of Right to Fair Compensation And Transparency in Land Acquisition, Rehabilitation, Resettlement Act 2013 and for commanding the Respondents to pay the compensation in accordance with the law, if lands of the Petitioner is required by the State.

(ii) setting aside all the consequential proceedings/order(s) to the extent to which it declares the Petitioner's land in Anchal-Hathua, Muaja-Badarjimi, Khata-188, Khesra-344, Jamabani No.-121, Area-19 decimals, Tauji-3296 AND Khata No.191, Khesra No.346, Jamabandi No.123, Area-40 Decimals Tauji-3296 to be incorporated in the land of BIADA as industrial area i.e., land of S.K.G Distillery along with 105.29 acres of land without service of proper notice.



(iii) holding and declaring that the concerned respondents were not authorized under any Act to transfer the raiyati lands of the present petitioner in favour of the BIADA, especially without initiating any proceedings for transfer in favour of BIADA.

(iv) restraining the respondent authorities from evicting the petitioner from his raiyati lands in question, as the petitioner has been in complete possession of the same, but the concerned Respondents are making physical changes to the property by carrying out construction work over the said property.

(v) granting any other relief/reliefs for which the petitioner may be found entitled in the facts and circumstances of the case.”

CWJC No. 1874 of 2025

“(i) release of the lands of the Petitioner from the Bihar Industrial Area Development Authority (hereinafter referred to in short as BIADA), as the lands in question belonging to the petitioner were never acquired



by the State of Bihar/Concerned Respondents in terms of Section 4A and 9 of the BIADA Act, 1974 and have illegally been transferred in favour of the BIADA by a mere notification without giving proper notice (without details of the controversy) to the petitioner and without considering his contentions on the point of law and facts and as also without initiating any Jamabandi Cancellation Proceedings and also without following the provisions of Right to Fair Compensation And Transparency in Land Acquisition, Rehabilitation, Resettlement Act 2013 and for commanding the Respondents to pay the compensation in accordance with the law, if lands of the Petitioner is required by the State.

(ii) setting aside all the consequential proceedings/order(s) to the extent to which it declares the Petitioner's land in Anchal-Hathua, Muaja-Badarjimi, Khata-119, Khesra-253, 287, 288, 290, 293, 294, 336, 337 and 361, Tauji-3296, Thana No.1060 to be incorporated in the



land of BIADA as industrial area i.e., land of S.K.G Distillery along with 105.29 acres of land without service of proper notice.

(iii) holding and declaring that the concerned respondents were not authorized under any Act to transfer the raiyati lands of the present petitioner in favour of the BIADA, especially without initiating any proceedings for transfer in favour of BIADA.

(iv) restraining the respondent authorities from evicting the petitioner from his raiyati lands in question, as the petitioner has been in complete possession of the same, but the concerned Respondents are making physical changes to the property by carrying out construction work over the said property.

(v) granting any other relief/reliefs for which the petitioner may be found entitled in the facts and circumstances of the case.”

CWJC No. 10636 of 2025

“(i) release of the lands of the Petitioner from the Bihar Industrial Area



Development Authority (hereinafter referred to in short as BIADA), as the lands in question belonging to the petitioner were never acquired by the State of Bihar/Concerned Respondents in terms of Section 4A and 9 of the BIADA Act, 1974 and have illegally been transferred in favour of the BIADA by a mere notification without giving proper notice (without details of the controversy) to the petitioner and without considering his contentions on the point of law and facts and as also without following the provisions of Right to Fair Compensation And Transparency in Land Acquisition, Rehabilitation, Resettlement Act 2013 and for commanding the Respondents to pay the compensation in accordance with the law, if lands of the Petitioner is required by the State.

(ii) setting aside all the consequential proceedings/order(s) to the extent to which it declares the Petitioner's land in Anchal-Hathua, Muaja Badarjimi, Khata-181 and 176, Khesra-342,343 and 357, Jamabandi No-64, Area-123



decimals, Tauji-3296 to be incorporated in the land of BIADA as industrial area i.e., land of S.K.G Distillery along with 105.29 acres of land without service of proper notice.

(iii) holding and declaring that the concerned respondents were not authorized under any Act to transfer the raiyati lands of the present petitioner in favour of the BIADA, especially without initiating any proceedings for transfer in favour of BIADA.

(iv) restraining the respondent authorities from evicting the petitioner from his raiyati lands in question, as the petitioner has been in complete possession of the same, but the concerned Respondents are making physical changes to the property by carrying out construction work over the said property.

(v) granting any other relief/reliefs for which the petitioner may be found entitled in the facts and circumstances of the case.”

CWJC No. 2995 of 2026

“(i) release of the lands of the



Petitioner from the Bihar Industrial Area Development Authority (hereinafter referred to in short as BIADA), as the lands in question belonging to the petitioner were never acquired by the State of Bihar/Concerned Respondents in terms of Section 4A and 9 of the BIADA Act, 1974 and have illegally been transferred in favour of the BIADA by a mere notification without giving proper notice (without details of the controversy) to the petitioner and without considering his contentions on the point of law and facts and as also without following the provisions of Right to Fair Compensation And Transparency in Land Acquisition, Rehabilitation, Resettlement Act 2013 and for commanding the Respondents to pay the compensation in accordance with the law, if lands of the Petitioner is required by the State.

(ii) setting consequential aside all the proceedings/order(s) to the extent to which it declares the petitioner's land in Anchal- Hathua, Mauza-Badarjimi Khata No. 150, Khesra- 297



Jamabandi no. 39 area- 27 decimals, respectively to be incorporated in the land of BIADA as Industrial Area i.e. land of S.K.G Distillery along with 105.29 acres of land without service of proper notice.

(iii) holding and declaring that the concerned respondents were not authorized under any Act to transfer the raiyati lands of the present petitioner in favour of the BIADA, especially without initiating any proceedings for transfer in favour of BIADA.

(iv) restraining the respondent authorities from evicting the petitioner from his raiyati lands in question, as the petitioner has been in complete possession of the same, but the concerned Respondents are making physical changes to the property by carrying out construction work over the said property.

(v) granting any other relief/reliefs for which the petitioner may be found entitled in the facts and circumstances of the case.”

CWJC No. 3090 of 2026



“(i) release of the lands of the Petitioner from the Bihar Industrial Area Development Authority (hereinafter referred to in short as BIADA), as the lands in question belonging to the petitioner were never acquired by the State of Bihar/Concerned Respondents in terms of Section 4A and 9 of the BIADA Act, 1974 and have illegally been transferred in favour of the BIADA by a mere notification without giving proper notice (without details of the controversy) to the petitioner and without considering his contentions on the point of law and facts and as also without following the provisions of Right to Fair Compensation And Transparency in Land Acquisition, Rehabilitation, Resettlement Act 2013 and for commanding the Respondents to pay the compensation in accordance with the law, if lands of the Petitioner is required by the State.

(ii) setting the consequential aside all proceedings/order(s) to the extent to which it declares the petitioner's land in Anchal- Hathua,



Mauza-Badarjimi Khata No. 112, Khesra- 230, 303, 312, 315, be Jamabandi no. 7 area- 26 decimals, 47 Decimals, 29 Decimals, 30 Decimals respectively to incorporated in the land of BIADA as Industrial Area i.e. land of S.K.G Distillery along with 105.29 acres of land without service of proper notice.

(iii) holding and declaring that the concerned respondents were not authorized under any Act to transfer the raiyati lands of the present petitioner in favour of the BIADA, especially without initiating any proceedings for transfer in favour of BIADA.

(iv) restraining the respondent authorities from evicting the petitioner from his raiyati lands in question, as the petitioner has been in complete possession of the same, but the concerned Respondents are making physical changes to the property by carrying out construction work over the said property.

(v) granting any other relief/reliefs for which the petitioner may be found entitled in the



facts and circumstances of the case.”

3. Mr. Vishwajeet Kumar Mishra, learned counsel for the petitioner submits that in the case of Lal Bahadur Chaudhary and Ors. vs. The State of Bihar and Ors. [(disposed of on 16.03.2026) (CWJC No. 3347 of 2026)], the Court made following observation:

“4. This Court has gone through the prayer of the Basdeo Chaudhary (supra) and is of the opinion that the submission put forward by the learned counsel for ‘the BIADA’ is correct. In that background, following the order passed in the aforesaid case, the same order is being passed in the present case.

5. Let the petitioner appear before the District Magistrate-Cum-Collector, Gopalganj in next eight weeks and if he prefers petition, the same shall be taken up/ relevant parties be noticed and the matter has to be taken to its logical conclusion at an earliest.

6. Needless to add, if the petitioner is entitled to the compensation, the process has to be taken in accordance with law for payment.



7. Any development that takes place in between shall be subject to the final outcome of the present writ petition.”

4. The submission is that they may also be permitted to approach the District Magistrate-cum-Collector, Gopalganj so that the matter to taken to its logical conclusion and if they are entitled to the compensation to act further.

5. Learned State counsel accepts that the present matter is similar to Lal Bahadur Chaudhary (supra).

6. In that background, all the writ petitions are disposed of in the same terms and conditions are recorded in paragraphs no. 4 to 7 of the aforesaid order in the case of Lal Bahadur Chaudhary (supra).

7. The writ petitions stand disposed of with the aforesaid observation.

(Rajiv Roy, J)

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