

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.675 of 2025

In
Civil Writ Jurisdiction Case No.16743 of 2024

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Bhuneshwar Pandey S/o Late Hoshila Pandey, R/o Village - Patkhauli, Ward
No. 12, Anchal - Gaunaha, P.S. - Gaunaha, District - West Champaran.

... .. Petitioner/s

Versus

1. Dr. B. Rajender S/o- not known, the Additional Chief Secretary, Rural Works Department, Government of Bihar, Patna.
2. Mr. Nirmal Kumar, S/o not known, Chief Engineer, Rural Works Department, Government of Bihar, Patna.
3. Mr. Dinesh Kumar Rai, S/o- Not known to the petitioner, The District Magistrate cum Collector, West Champaran at Bettiah.
4. Mr. Surya Prakash Gupta, S/o not known, Sub Divisional Officer, Narkatiyaganj, Bettiah, West Champaran.
5. Mr. Anil Kumar, S/o not known, Superintending Engineer cum Additional Collector, Bettiah, West Champaran.
6. Mr. Manish Kumar, S/o- not known, Executive Engineer, Narkatiyaganj, Bettiah, West Champaran.
7. Mr. Ram Dular Chauhan, S/o - not known, Junior Engineer, Bettiah, West Champaran.
8. Mr. Surya Kumar Singh, S/o- not known, B.D.O., Narkatiyaganj, Bettiah, West Champaran.
9. Mr. Sudhanshu Shekhar, S/o - not known, Circle officer, Narkatiyaganj, Bettiah, District - West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Deepak Kumar, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 18-02-2026 The instant contempt petition is arising out of order

dated 29.10.2024 passed in C.W.J.C. No. 16743 of 2024 and it

reads as under:-

*“In the instant petition, petitioner has
prayed for the following relief (s):-*



(i) For issuance of a writ in the nature of Mandamus or any other appropriate writ/writs, order/orders and direction for restraining the Respondent Authorities from constructing public road on private land of the petitioner bearing Khata No. 102, Plot No. 7, measuring 0-3-12, Mauza Kundilpur, Block Narkatiyaganj, District West Champaran against which Jamabandi No. 699 is running in the name of petitioner, but without proper acquisition of the petitioner's land and without any authority of law, the respondents are about to construct pucca road inasmuch as the soil has been filled on the land and some of the raw material have been kept to construct the road.

(ii) Also for restraining the Respondents from making any work in order to construct the road over petitioner's land bearing Khata No. 102, Plot No. 7, measuring 0-3-12, Mauza Kundilpur, Block Narkatiyaganj, District West Champaran, during pendency and till final adjudication of the case.

(iii) For issuance of any writ/writs, order/orders, direction/directions as your Lordships may deem fit and proper in the facts and circumstances of the case.

2. Learned counsel for the petitioner submits that petitioner is bona fide owner of the land pertaining to Khata No. 102, Plot No.7,



measuring, Mauza Kundilpur, Block Narkatiyaganj, District West Champaran. Learned counsel submits that without proper acquisition of petitioner's land, the construction of pucca road is going to be done upon the petitioner's land. Petitioner has represented his grievance before the concerned authority as mentioned in P-2 series and the grievance has not been redressed by any of the authorities concerned.

3. Learned counsel for the State submits that petitioner has very vaguely represented his grievance before several authorities without any basis. Petitioner has not produced any piece of paper passed by any authority for the construction of pucca road upon the petitioner's land.

4. In the light of aforesaid facts and circumstances of the case, present writ petition stands disposed of with liberty to the petitioner to represent his grievance before District Magistrate-cum-Collector, West Champaran that his land should not be acquired without following proper procedure of acquisition. If petitioner submits his representation before the District Magistrate-cum-Collector, West Champaran within four weeks from the date of receipt of this order, the competent authority is directed to hear the grievance of the petitioner and pass appropriate order expeditiously, as per law.

5. Without deciding the representation of



the petitioner, no pucca road would be constructed on petitioner's land in question."

2. Learned counsel for the petitioner has confined his submission that the opposite party nos. 3, 4 and 9 have already admitted through the show cause dated 04.08.2025 that they have constructed the road upon the *raiya* land of the petitioner to the extent of 2.5 decimal for which they have admitted to pay the compensation and vide order dated 15.07.2025 the concerned District Magistrate has directed the Executive Engineer, Rural Works Department, Narkatiyaganj to assess the compensation amount and on receipt of the compensation amount from the concerned Department, ensure payment of compensation to the petitioner.

3. Learned counsel for the State has admitted in para 16 of the show cause that 2.5 decimal land of the petitioner has been acquired by the Rural Works Department in the interest of public and vide order dated 15.07.2025 of the concerned District Magistrate, the compensation amount has been ordered to be assessed by the Executive Engineer, Rural Works Department, Narkatiyaganj with a further direction to pay the compensation amount to the petitioner on receipt of the same from the concerned Department.

4. In the light of the aforesaid facts and circumstances



of the case and arguments advanced on behalf of the parties, it is evident that the grievances of the petitioner has already been redressed.

5. At this stage, learned counsel for the petitioner has asserted that the concerned respondent may be directed to pay the compensation to the petitioner at the earliest.

6. Considering all the aspects of the matter, in view of the direction given by the concerned District Magistrate to assess and pay the compensation amount to the petitioner, it is expected that the amount of compensation would be paid to the petitioner at the earliest.

7. Accordingly, the present contempt petition stands disposed of with liberty to the petitioner that if the petitioner has any grievance with regard to the fresh cause of action, he may approach the appropriate forum.

(Alok Kumar Pandey, J)

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