

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.177 of 2025
In
Civil Writ Jurisdiction Case No.7334 of 2024

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1. Rajendra Upadhyay S/o Late Vrajanandan Upadhyay @ Brij Nandan Upadhyay, R/o Village - Jitan Chapra, Dulinbazar, P.O. Rajipur, P.S. - Rani Talab, District- Patna.
 2. Shiv Nandan Upadhyay S/o Late Vrajanandan Upadhyay @ Brij Nandan Upadhyay, R/o Village - Jitan Chapra, Dulhinbazar, P.O. Rajipur, P.S. - Rani Talab, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Department of Revenue and Land Reforms, Land Acquisition Directorate Bihar Patna.
3. The Director, Land Acquisition and Rehabilitation, Water Resources Department, Bihar, Patna.
4. The Commissioner for Rehabilitation and Resettlement, Bihar, Patna.
5. The Chief Engineer, Water Resources Department, Bihar Patna.
6. The Collector, Patna, District- Patna.
7. The Special Land Acquisition Officer, Patna Flood Protection Project, Patna.
8. The Superintending Engineer, Ganga Sone Flood Protection Circle, Patna.
9. The Executive Engineer, Sone Flood Protection Division, Bihta, Patna.
10. The Executive Engineer, Sone Canal Division, Khagaul Patna.
11. The Land Acquisition Officer, Water Resources Department, Anisabad, Patna.
12. The Sub Divisional Officer, Sone Flood Protection Sub- Division, Bihta, Khagaul, Danapur, Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Abhishek Kumar, Adv.
For the Respondent/s : Mr. Anjani Kumar, AAG-4

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT



(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 17-02-2026

As per the order dated 08.01.2026 passed in the present LPA, it is submitted by the learned AAG-4 that an amount of Rs. 35,178/- (Rupees Thirty-five thousand one hundred seventy eight only) has already been handed over to the appellants, which is not disputed.

2. Learned counsel for the appellants, however, submits that they are also entitled to get back the portion of the lands, which were not under the land acquisition process. Further, the appellants have already filed an application under Section 18 of the Land Acquisition Act, 1984 for payment of appropriate compensation, which is pending before the Collector, Patna.

3. Since the application is made in February, 2023 and three years have already been passed, this Court expects that the Collector, Patna shall do the needful in expediting the disposal of the application at an earliest, preferably within a period of two months, from the date of production of the certified copy of this order, if there is no other impediment.

4. It is made clear that we have not expressed any opinion on the merits of such application. Accordingly, the



present LPA stands disposed off.

5. The appellants are also at liberty to avail any other remedy, if they feel aggrieved with the action of the State in utilizing the land without acquisition, in accordance with law.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.02.2026
Transmission Date	NA

