

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3731 of 2026

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Mukesh Kumar Sharma Son of Late Shyam Sundar Sharma, Resident of Tajpur Road, Bhola Talkies Chowk, Ward No.-33, P.S- Samastipur Town, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reform, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Revenue and Land Reform, Government of Bihar, Patna.
3. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
4. The Director, Land Acquisition, Government of Bihar, Patna.
5. The Collector-cum-District Magistrate, Samastipur.
6. The Land Acquisition Officer, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mr. D.K. Sinha, Senior Advocate Mr. Rajeev Ranjan, Advocate Mr. Sumit Kumar Srivastava, Advocate Mr. Vishweshri Rajendra, Advocate
For the State	:	Mr. Sunil Kumar Mandal, SC-3 Mr. Bipin Kumar, AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 06-07-2026 Heard Mr. Devendra Kumar Sinha, learned Senior

Counsel for the petitioner and the State.

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

*(i) to issue a writ / Writs, Order/ Orders,
Direction/Directions to the respondent
authorities to set aside the notice issued
under Section 11(1) of the Right to fair*



compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013(Act no. 30/2013)

(ii) to issue a writ / Writs, Order/ Orders, Direction/Directions to the respondent authorities to comply the provisions of Sections 4 to 8 of the Right to fair in Land compensation and Transparency Acquisition, Rehabilitation and Resettlement Act 2013(Act no. 30/2013) in true sense and sprit.

(iii) to issue a writ / Writs, Order/ Orders, Direction/Directions to the respondent authorities to do social Impact Assessment study and public hearing over the same as per Sections 4 and 5 of the Right to fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013(Act no. 30/2013) in true sense and sprit.

(iv) to issue a writ / Writs, Order/ Orders, Direction/Directions to the respondent



authorities to published the appraisal of expert group on the social Impact Assessment report as per Section 7 of the Right to fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013(Act no. 30/2013).

(v) to issue a writ / Writs, Order/ Orders. Direction/Directions to the respondent authorities to search and found the public land near the proposed are because total length of road land is 56 feets and road is constructed only over 48 feets and rest are in possession of private parties.

(vi) to issue other direction/ directions as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case.

3. A counter affidavit has come on behalf of the State respondents duly signed by the Additional Land Acquisition Officer, Samstipur and learned Senior counsel has taken this Court to the different paragraphs to show that the respondents have acknowledged the case of the petitioner but the process is



still on, committee has been formed as also encroachment proceeding initiated.

4. Having heard the parties, this Court is of the view that when the respondents themselves are taking up steps, parallel proceeding in the court will hamper the development that will take place at the ground zero.

5. This Court has taken note of the order dated 07.09.1998 in CWJC No. 5780 of 1998 (Shyam Sundar Sharma vs State and Ors.) and further records that unless the respondents come to a conclusion and pass an order, the present status quo with regard to the land in question of the petitioner, Mukesh Kumar Sharma who is son of Shyam Sundar Sharma shall be maintained.

6. The write petition is disposed of with aforesaid observation.

(Rajiv Roy, J)

Ravi/-Ankita

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