

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5897 of 2024**

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1. Virendra Roy S/o Late Shiv Balak Roy, resident of village - Jhalla P.S.-  
Kurlikort, Dist. - Kishanganj.
2. Jhamman Roy, S/o Late Shiv Balak Roy, resident of village - Jhalla P.S.-  
Kurlikort, Dist. - Kishanganj.

... .. Petitioner/s

Versus

1. The Union of India
2. The Secretary, Ministry of Rural Development, Govt of India.
3. The State of Bihar through the Chief Secretary, Bihar, Patna.
4. The Principal Secretary, Road Construction Development Deptt, Patna.
5. The Additional Secretary, Land Reform and Revenue Deptt Bihar, Patna.
6. The Collector, Kishanganj.
7. The Land Acquisition, Rehabilitation and Resettlement Authority, Purnia.
8. The District Land Acquisition Officer, Kishanganj.
9. The Executive Engineer, Road Construction Department, Road Division,  
Kishanganj.
10. The Kanoongo Land Acquisition Department, Kishanganj.
11. The Amin, Land Acquisition Department, Kishanganj.
12. Surendra Roy, S/o Late Shiv Balak Roy, Resident of Village - Jhalla P.S. -  
Kurlikort, Dist. - Kishanganj.
13. Sachin Kumar, S/o Late Yugal Kishore Roy, Resident of Village - Jhalla P.S.  
- Kurlikort, Dist. - Kishanganj.
14. Kailash Kumar @ Kali, S/o Late Yugal Kishore Roy, Resident of Village -  
Jhalla P.S. - Kurlikort, Dist. - Kishanganj.
15. Kaushal Kumar, S/o Late Yugal Kishore Roy, Resident of Village - Jhalla  
P.S. - Kurlikort, Dist. - Kishanganj.

... .. Respondent/s

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**Appearance :**

|                      |   |                                 |
|----------------------|---|---------------------------------|
| For the Petitioner/s | : | None                            |
| For the State        | : | Mr. Sarvesh Kumar Singh, AAG-13 |
| For the UOI          | : | Mr. Anjani Prasad Singh, CGC    |

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**



2      27-04-2026                      No one appears on behalf of the petitioner though learned counsels for the Union of India as also State are present.

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

*“(i) to direct the respondent no.2, the Secretary Ministry of Rural Development, Govt. of India to enquire the matter of award given to the respondent no.12 Sri Surendra Roy only against the land acquired by the Union of India for constructing the Indo-Nepal Road where as the land and house was in joint possession of all the heirs of late Prameshwari Devi w/o late Shiv Balak Roy.*

*(ii) to direct the respondent no.5, the Additional Secretary Land Reform and Revenue Department, Bihar, Patna to enquire the role of the respondent no.8, the Dist Land Acquisition Department, Kishanganj.*

*(iii) to direct the respondent no.8, the District Land Acquisition Department, Kishanganj to distribute the amount of award among the heirs of late Prameshwari Devi*



*equally.*

*(iv) to show cause the respondent no.12, Surendra Roy as to why not the criminal proceeding initiated against the commission of fraudulently obtained the amount of award of all his brother.*

*(v) to grant any other relief or reliefs as to which the petitioners are entitled in the facts and circumstances of the case.”*

3. Learned counsel representing the respondent nos. 6, 8 and 9 has taken this Court to paragraph nos. 10 to 14 of the counter affidavit which shows that Land Acquisition Reference Case No. 06 of 2018-19 has already been started by the Land Acquisition, Rehabilitation and Resettlement Authority, Purnea, (henceforth for short ‘the LARRA’).

4. In that background, when the matter is already pending before the aforesaid concerned authority, it would be appropriate that the petitioners agitate the matter before the aforesaid concerned authority.

5. The contention of the respondents is that should approach ‘the LARRA’, Purnea.

6. However, since, there is no appearance, the writ



petition is dismissed for non-prosecution giving liberty to the petitioner to approach the appropriate authority/‘the LARRA’, Purnea, if they so want.

**(Rajiv Roy, J)**

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