

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4252 of 2026

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1. Urmila Devi W/o Kashinath Singh, Resident of Ward No. 7, Karup, P.O. Malwar, Police Station-Shivsagar, District-Rohtas (Sasaram).
 2. Dharmshila Devi, W/o Kamal Singh, Resident of Village-Banrasiya, P.O. Marsaray, District-Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Patna, Bihar.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The District Collector cum Land Acquisition Officer, District-Kaimur.
4. The Anchal Adhikari, Kudra, District-Kaimur.
5. The Divisional Commissioner, Patna Division, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar, Advocate
For the State : Mrs. Archana Meenakshee, GP-6

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-04-2026 Heard the parties.

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

“(I) to command and direct the respondents to pay the compensation amount on the basis of residential land as the respondent no.3 while directing to prepare award has acted arbitrarily without complying the principles of natural justice and has prepared award in two category of Mauza Sakari 25356 hectare of land were categorized as agricultural land including the land of the petitioner and adjacent land 2.3649 hectare land has been categorized as



residential.

(II) to command and direct the respondents to pay compensation of the acquired land of the petitioner on the basis of residential category as has been done in the case of adjacent land holder Birendra Kr. Singh on the direction of the Hon'ble Commissioner by order dated 22.08.2015 by which the adjacent land has been declared and award has been modified from Agricultural to residential.

(III) to command and direct the respondents to modify the award as has been done in adjacent land holder case vide Arbitration Case No.5 of 2016, order dated 12.9.2017 passed by the Hon'ble Commissioner.

(IV) to command and direct the respondents to modify the award after considering three district and fundamental jurisdiction principles while determining the nature of the land i.e. (i) duty to adopt judicial approach (ii) compliance with the principles of natural justice particularly application of mind



to the attending facts and circumstances (iii) that the decision must be based on site report and sale deed of the surrounding area.

(V) to direct and command the respondents that while deciding the nature of land, existing potentially be taken into account.

(VI) any other relief/reliefs for which petitioner is entitled thereto.”

3. After some argument, learned counsel for the petitioners submit that they shall be approaching the Arbitrator-cum-Divisional Commissioner, Patna Division, Patna.

4. Learned State counsel submits that it will be taken to its logical conclusion at an earliest.

5. Accepting the words of the parties, the writ petition is disposed of allowing the petitioners to approach the Arbitrator-cum-Divisional Commissioner, Patna Division, Patna who shall be disposing it of at an earliest.

(Rajiv Roy, J)

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