

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4704 of 2026

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1. Sunil Kumar Son of Late Siyasaran Paswan, Resident of Siyasaran Market, Chandeshwar Bhavan, Parsa P.O. - Parsa, P.S. - Parsa , District - Patna, Bihar.
 2. Smt. Radha Rani Devi @ Radha Rani Sah, Wife of Late Jagdish Sah, Resident of Village - Parsa, P.O. - Parsa, P.S. Parsa, District - Patna, Bihar.
 3. Smt. Sumitra Devi, Wife of Shiv Kumar Shah, Resident of Village Parsa, P.O. Parsa, P.S. Parsa, District - Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna.
4. The Managing Director, Bihar State Road Development Corporation Limited (BSRDCL), Patna, Bihar.
5. The District Magistrate, Patna, Bihar.
6. The District Land Acquisition Officer, Patna, Bihar.
7. The Executive Engineer, Road Construction Department, Patna City Anchal, Patna, Government of Bihar.
8. The Circle Officer, Phulwari Sharif, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Madhukar Mohan, Advocate
For the State	:	Mr. Standing Counsel (16)
	:	Mr. Madhukar Mishra, AC to SC-16
For the BSRDCL	:	Mr. P.K. Shahi, Sr. Advocate
	:	Mr. Manish Dhari Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-06-2026 Heard the parties.

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

*“(i) to set aside/quash the notice issued by
the Respondent Authority under the relevant*



provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, in connection with the project namely "Construction of Four Lane Elevated/At-Grade Road from the Eastern Side of Railway Line from Mithapur-Sipara-Mohuli-Punpun up to Parsa Link Road"(hereinafter referred to as the "Project").

(ii) to direct the Respondent Authorities to consider and acquire the Government land available at Village Rahimpur, thana no-98, Circle - Phulwari, District -Patna for the aforesaid Project, if the Project is to be undertaken and identified in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (henceforth for short 'the Act'), instead of proceeding against the land of the petitioners, and to act strictly in consonance with the mandate of 'the Act' of 2013.



(iii) to direct the Respondent Authorities to prepare and formulate a fresh and lawful alignment plan for completion of the aforesaid Project, strictly in accordance with the provisions of 'the Act' of 2013, ensuring due consideration of available Government land and safeguarding the lawful rights and interests the petitioners.

(iv) to restrain the Respondent Authorities from taking any coercive steps, including dispossession or demolition, pursuant to the impugned notice, during the pendency of the present writ application.

(v) to pass any other order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

3. The matter relates to construction of Mithapur-Sipara-Mohuli-Punpun four-lane elevated road and towards Parsa-Sampatchak for which notifications have been issued under section 11(1) of the said act on 17.05.2025 and section 19(1) of the said act on 19.01.2026.



4. The contention of the three petitioners is/are that decades ago, the Government acquired the land which is available to them but unnecessary the second acquisition is being made which is greatly going to affect them as also the other villagers.

5. The submission of the learned counsel for the petitioner Mr. Madhukar Mohan is that the Bihar State Road Development Corporation Ltd. (henceforth for short 'the Corporation') took note of the fact that earlier vide letter no.915 dated 20.08.2025, a communication was also made with the Executive Engineer, Minor Irrigation Department to this effect.

6. The submission is that they have sat over the matter. Both the State as also learned counsel for 'the Corporation' are represented here and the joint submission is that for the development/construction of the said road, steps have been taken which is in accordance with law.

7. This Court has taken note of the facts of the case as also the communication made by 'the Corporation' dated 20.08.2025 and is of the opinion that when 'the Corporation' itself has taken cognizance of the matter, the petitioners who have not come up with all the facts/details of the crisis they are underlining should approach 'the Corporation' alongwith the



proper petition as submitted by its learned counsel.

8. Learned counsel for the petitioner submits that within four weeks, the individual petitioner shall be appearing before 'the Corporation' with their respective petition.

9. If such petition is preferred, this Court expects from the respondents to take the same to its logical conclusion. The entire process is to be completed within a period of two months from the date the petitioners submit the individual petition.

10. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

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