

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6763 of 2025

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1. Meera Devi Wife of Late Ram Chandra Sah Resident of Village and P.O.-
Punaura, P.S.- Punaura, District- Sitamarhi.
 2. Raju Kumar Son of Late Ram Chandra Sah Resident of Village and P.O.-
Punaura, P.S.- Punaura, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Sitamarhi, District-
Sitamarhi.
2. The District Land Acquisition Officer, Sitamarhi, District- Sitamarhi.
3. The Deputy Collector, Land Reform Sitamarhi, District- Sitamarhi.
4. The Circle Officer, Dumra, District- Sitamarhi.
5. Dr. Devbart Samant Project Coordinator (Assistant Professor) the
Chandragupta Managemant Institute Patna, P.S.- Jakkampur, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Suresh Kumar Ishwar, Adv.
For the Respondent/s : Mr. Standing Counsel (9)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 27-07-2026 Heard the parties.

2. The present application has been preferred for the
following relief(s):

*(i) for issuance of an appropriate
writ, order, direction in the nature of
mandamus for commanding and directing the
respondents to exempt /exclude the petitioners
land vide Mauza Punaura, Thana no.260,
Khata no.1244, Khesra no.5238 area 59.50
decimal of land which is going to be acquired
illegally for purposes of the development of
Punaura Dham Temple campus/premises*



(ii) *For issuance of an appropriate writ, order, direction in the nature of mandamus for commanding and directing the respondents- authorities to acquire take /adjust land 59.50 Dec. from the petitioners from other place land of the petitioners where the petitioners land is also going to be taken for the same purposes vide Mauza-Punaure, thana no.260, Jamabandi no.4653, Khata no.1244, Khesra no.3938 302 Dec. 4548=1.19 Acre, 4562-68 Dec., 4500-48 Dec. 5464-1.19 Acre, 4544-56 Decimal, 4546 61 dec. total area about 3.332 Acres which is going to be acquired for the same purposes of development of Punaure Dhan Temple campus from petitioners and other persons in the same village an area about 50 Acres. The petitioners are ready to give 59.50 decimal additional land for same development of Punaure Dham Temple campus Scheme in other places.*

(iii) *For issuance of an appropriate writ order, direction in the nature of Mandamus for commanding and directing the respondents to take/use the temple land for the same Scheme for the development of Punaure Dham Temple premises campus because the temple has sufficient land for development of the Punaure Dham Temple campus.*

(iv) *For issuance of an appropriate writ, order, direction in the nature of mandamus for commanding and directing the*



respondents- autho-rities to set up independent inquiry committee of independent persons for enquiry of the aforesaid land except the concern authority because the enquiry has not been done properly and submitted his illegal inquiry report on the basis of his own choice to the Respondents.

(v) For issuance of an appropriate writ, order, direction in the nature of mandamus for commanding and directing the respondents- autho-rities to give same treatment to all the persons whose land are in said campus and going to be acquired for the aforesaid scheme. The petitioners land is in corner of the said campus which land is going to be acquired for the aforesaid scheme by the respondents and the land of the other persons whose land are more suitable for that scheme as his land is in the middle and front of the aforesaid campus their land are not going to be acquired for the aforesaid scheme. The Respondents authority are going to be acquired the petitioners land by illegal method cause best known to them.

(vi) For issuance of an appropriate writ, order, direction in the nature of mandamus for commanding and directing the respondents- autho-rities not to acquire/take 59.50 decimal of petitioners land of Mauja Punaure, Thana, Punaure, Thana no.260, Khata no.1244, in different Khesras because



petitioners are not ready/ position to give the aforesaid land because the aforesaid petitioners land is residential cum commercial land and the petitioners are doing some small business on that very land and this land is very useful land for petitioners family for his business.

(vii) For issuance of appropriate writ or writs, orders, directions as your Lordship may deem fit & proper in interest of justice to the petitioners for which he is entitled under the law.

3. The details of the land is/are as under:

Mauza Punaaura;

Thana no.260;

Khata no.1244;

Khesra no.5238 ;

area 59.50 decimal.

4. The counter affidavit of the respondent duly signed by the District Land Acquisition Officer, Sitamarhi is on record and learned State Counsel has taken this Court to paragraph 6(vi) to (viii) which read as under:

6(vi). That after following all the due processes, notices dated 06.06.2025 under Section 21(2) of the RFCTLARR Act, 2013 were served to the petitioner no 1 and one Sunil Kumar, requiring them to appear before the District Land Acquisition Officer,



Sitamarhi (vested with the power of Collector for the purpose of Land Acquisition) on 05.07.2025, either personally or by agent or advocate, and to state the nature of their respective interests in the land and the amount and particulars of their claims to compensation for such interests, their claims for to rehabilitation and resettlement along with their objections, if any, to the measurement made under Section 20.

vii. That after following all the due processes, the award was declared, and notices contained in Memo No. 365 dated 19.07.2025 and Memo No. 368 dated 19.07.2025 were duly served upon the petitioners for receiving compensation. The compensation determined amounts to Rs. 1,88,17,693/- (Rupees One Crore Eighty Eight Lakh Seventeen Thousand Six Hundred Ninety Three Only) towards the acquired land, and Rs. 8,58,240/- (Rupees Eight Lakh Fifty Eight Thousand Two Hundred Forty Only) towards the house situated thereon.

viii. That the compensation will be provided to the petitioners subsequent to their consent for receiving the same.

5. Though no reply to the said counter affidavit has come despite the copy having been served in the month of October 2025, learned counsel for the petitioner submits that it is a commercial land and as such, the categorization is wrong.



6. Learned State Counsel submits that an award has been prepared, the petitioner should submit her documents, receive the amount and shall always have the right to contest the categorization of land before an appropriate authority/ Court.

7. In that background and having heard the parties, the writ petition is disposed of allowing the petitioner to accept or decline the award amount and contest the same before appropriate authority/Court.

8. In case, the petitioner intends to accept the award amount and submits the credentials/relevant documents, the District Land Acquisition Officer, Sitamarhi shall ensure that the payment is made to her at an earliest and in no case, beyond three months.

9. The writ petition is disposed of with aforesaid observation.

10. Pending I.A.(s), if any, also stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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