

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6064 of 2025

Divakar Singh Son of Late Ram Lakhan Singh Resident of Village- Godaiya,
P.O. and P.S. Simultala, District-Jamui, Bihar.

... .. Petitioner/s

Versus

1. Union of India through Ministry of Road Transport and Highways, Government of India, Parivahan BHawan, I Sansad Marg, New Delhi.
2. The National Highways Authority of India, G5 and 6, Sector 10, Dwarka, New Delhi through its Chairman.
3. The District Officer-Cum-Collector, Jamui, Bihar.
4. The Competent Authority Under the National Highways Act. 1956-Cum-District Land Acquisition Officer, District-Jamui, Bihar.
5. The Additional Collector Land Reforms, District-Jamui, Bihar.
6. The Circle Officer, Jhajha, District-Jamui, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate
For the UOI	:	Dr. Iti Suman, Advocate
For the NHAI	:	Mr. Rajesh Kumar Shandilya, Advocate
	:	Mr. Sanjiv Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-07-2026 Heard Mr. Rajiv Kumar Singh, learned Senior Counsel for the petitioner and Dr. Iti Suman, learned counsel representing the Union of India as also Mr. Rajesh Kumar Shandilya, learned counsel representing the National Highway Authority of India as also learned State counsel.

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

*“(i) for the issuance an appropriate writ,
order or direction in the nature of certiorari for*



quashing the part of the Notification No. 1020(a) dated 05.03.2024 issued under Section 3-D (2) of the National Highways Act, 1956 by the Central Government through the Ministry of Road Transport and Highways declaring its intention to acquire lands falling in various villages of Jamui district for construction/widening of National Highway No. 333A to the extent wherein the land belonging to the petitioner falling in Plot No. 28 of village Siyatand, District Jamui has been shown as "others (Gairmajarua Malik)" and belonging to the Government of Bihar without considering the objections duly filed by the petitioner in response to the earlier notification issued under section 3 C of the Act and also without considering the evidence adduced by the petitioner containing extent revenue records showing perfect title and possession of the petitioner over the lands in question.

(ii) for the issuance of an appropriate writ, order or direction holding that the



Petitioner is the owner 3 acres 19.5 decimals of land pertaining to Plot No. 28, Khata No. 22 in village Siyatand, Jammui comprising Jamabandi No. Part No. 7 page No. 8 along with valid possession thereupon by virtue of purchase done vide a registered sale deed; and that the land in question has over the period of time acquired the nature of a raiyati land and not gairmazarua malik land.

(iii) for the issuance of an interim order staying the operation of the Notification No. 1020(a) dated 05.03.2024 so far as Plot No. 28, Khata No. 22 in village Siyatand, Jammui comprising Jamabandi No. Part No. 7 page No. 8 is concerned during the pendency of the instant writ petition.

(iv) for the grant of any other relief or reliefs which the Petitioner may be found entitled to in the facts and circumstances of the case.”

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

“Khata No. 22, Plot No. 28, Than No.29,



Village-Siyatand, P.S.-Simultala, District-Jamui.”

4. The matter relates to the widening of the National Highway No. 333A in which the land of the petitioners have also been earmarked.

5. Learned Senior Counsel has straight away taken this Court to the information given by the Circle Officer, Jhajha to the Deputy Collector Land Reforms, Jamui Sadar, Jamui vide letter no. 993 dated 21.08.2023 in which the transfer of land as also issuance of rent receipt stand incorporated and he has recorded that this is free from the Bihar State Religious Trust Board and the petitioner is in peaceful possession of the land (Annexure P/4 to the writ petition). The submission is that now taking the plea that it is a gair-mazarua malik land, it has seriously jeopardized his case/compensation amount.

6. He further submits that the petition preferred by the petitioner before the Collector, Jamui was Registered as Raiyatikaran Case No. 01 of 2023 (Divakar Singh vs. The State of Bihar) .

7. The further submission is that despite repeated objections/representation to all the respondents up to the Collector, Jamui, no response has come.



8. It is a joint submission of respondents including the learned State counsel that the said petition preferred by the petitioner pending before the Collector, Jamui (respondent no.3), it will be taken to its logical conclusion.

9. This Court is also of the view that when the Revenue Authority have looked into the matter and information has been given to the Deputy Collector Land Reforms as recorded above, the same can be considered by the highest authority of the district.

10. In that background, the writ petition is disposed of directing the Collector, Jamui to take the **Raiyatikaran Case No. 01 of 2023** (as recorded above) to its logical conclusion (if still not disposed of) at an earliest and after hearing the parties. The representation be disposed of preferably within a period of three months from the date the copy of the order handed over to his/her office.

(Rajiv Roy, J)

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