

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7746 of 2026

Abdhesh Kumar Singh, S/O Arjun Prasad Singh resident of Village- Khaira
(Bishunpur) P.O- Khaira, P.S surajgarha, District- Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Land and Revenue Deptt., Govt. of Bihar, Patna.
2. The General Manager, N.T.P.C Lok Nayak jai Prakash Bhawan, Patna
3. The Collector, Lakhisarai.
4. The Land Acquisition Officer, Lakhisarai.
5. The Circle Officer, Surajgarha, Lakhisarai.
6. The Sub Divisional Officer, Lakhisarai
7. The Assistant Revenue commissioner, Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate
For the Respondent/s : Mr. Government Pleader (11)

CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL ORDER

2 24-06-2026 Heard learned counsel for the parties.

2. This writ application has been preferred for quashing the order dated 27.09.2025 passed in Miscellaneous Case No. 01 of 2024 by District Magistrate-cum-Collector, Lakhisarai, whereby the Collector has rejected claim of the petitioner for paying compensation of the land on commercial value.

3. But in the entire writ application petitioner has not enclosed any document showing or evincing that this piece of land on which he is claiming compensation of the commercial



value could be corroborated.

4. On the other hand, learned counsel for the State citing Annexure 3 submits that after due verification and inquiry, the land in question was found to be a barren land which appears even not to be an agricultural one. This Joint Inquiry Committee has very categorically given a finding to the aforesaid effect.

5. Petitioner's claim has not been buttressed and substantiated by any cogent and credible material on record.

6. There is a provision for agitating grievances before the Competent Authority for making reference to the Authority under Section 64 of the 'Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 which stipulates that:-

“64. Reference to Authority.-(1) Any person interested who has not accepted the award may, by written application to the Collector, require that the matter be referred by the Collector for the determination of the Authority, as the case may be, whether his objection be to the measurement of the land, the amount of the compensation, the person to whom it is payable, the rights of Rehabilitation and Resettlement under Chapters V and VI or the apportionment of the compensation among the persons interested:

Provided that the Collector shall, within a period of thirty days from the date of receipt of application, make a reference to the appropriate Authority:

Provided further that where the Collector fails to make such reference within the



period so specified, the applicant may apply to the Authority, as the case may be, requesting it to direct the Collector to make the reference to it within a period of thirty days."

"(2) The application shall state the grounds on which objection to the award's taken:

Provided that every such application shall be made-

(a) if the person making it was present or represented before the Collector at the time when he made his award, within six weeks from the date of the Collector's award:

(b) in other cases, within six weeks of the receipt of the notice from the Collector under Section 21, or within six months from the date of the Collector's award whichever period shall first expire:

Provided further that the Collector may entertain an application after the expiry of the said period, within a further period of one year, if he is satisfied that there was sufficient cause for not filing it within the period specified in the first proviso."

7. Proviso to the Section 64 makes it amply clear that the Collector is duty bound to make a reference to the appropriate Authority within a period of 30 days from the date of receipt of such an application.

8. The learned counsel for the petitioner submits and prays that he may be allowed to approach the Collector for making reference under Section 64 of the Act (*supra*).

9. In this backdrop, the petitioner is given liberty to file an appropriate application before the concerned Authority i.e.



the Collector, Lakhisarai under Section 64 for making a reference to the appropriate Authority for deciding the claim of the petitioner with respect to the payment which he is claiming to be commercial in nature of that piece of land.

10. Petitioner may file such an application within two weeks henceforth supporting his claims with relevant documents so that the Collector, Lakhisarai may refer the matter to the appropriate authority for deciding the claim of the petitioner regarding commercial nature of the land.

11. This writ application is disposed of in the aforesaid terms.

(Rana Vikram Singh, J)

Saurabh.kr/
Supratim-

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