

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7950 of 2026

1. Ram Krishna Singh, Son of Lal Bihari Singh @ Lal Bihari Rai, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).
2. Pramod Kumar Singh, Son of Late Prabhu Singh, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).
3. Nitish Kumar, Son of Late Binay Singh, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).
4. Kavita Devi, Wife of Late Binay Singh, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).
5. Uday Kumar, Son of Late Deep Narayan Rai, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).
6. Ashok Rai, Son of Late Deep Narayan Rai, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).
7. Dinesh Kumar Rai @ Divesh Rai, Son of Sri Lal Bihari Rai, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).
8. Subash Prasad Ray @ Subash Rai, Son of Lal Bihari Rai, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).
9. Anil Paswan, Son of Late Jegeshwar Paswan, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Patna.
2. The District Magistrate-cum-Collector, Patna.
3. The Circle Officer, Phulwarisharif, Patna.
4. The District Land Acquisition Officer -cum- Consistent Authority, Patna, Bihar.
5. The Additional Collector, Patna.
6. The Union of India, through the Principal Secretary, Ministry of Road Transport and Highway, New Delhi, Govt. of India.
7. The National Highway Authority of India, through its Chairman -cum- Secretary, G-5, and G-6, Sector-10, Dwarika, Delhi.
8. The Project Director, National Highway Authority of India, D-63, 1st Floor, Sri Krishnapuri, Boring Road, Patna-800001, Bihar.
9. Anil Rai, Son of Late Sitaram Singh, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).
10. Sunil Kumar, Son of Late Sitaram Singh, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).
11. Kapil Kumar, Son of late Sitaram Singh, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).
12. Vakil Kumar, Son of Late Sitaram Singh, Resident of Village- Hasanpur,



P.O. and P.S.- Beur, District- Patna (Bihar).

13. Arun Rai, Son of Late Sitaram Singh, Resident of Village- Hasanpur, P.O. and P.S.- Beur, District- Patna (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate
For the State : Ms. Binita Singh, SC 28

CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL ORDER

2 30-06-2026 Heard learned counsel for the respective parties.

2. The writ petitioners have approached this Court for a direction to the respondents to pay appropriate compensation to them for acquisition of their lands in village Hasanpura, Patna for construction of N.H. 30. The minute details of the acquisition of petitioners' land as evident from the writ petition is detailed hereinbelow :-

- “ i Date of Proposal- 19.04.2011.
ii. Name of Mauza & Case No. Hasanpura
LA Case No. 27/2012-13.
iii. Area acquired in Total- 17.111184 Acre.
iv. Notification No. & date u/s 3A- 2282(A)
dt. 28.09.2011.
v. Publication in Newspaper- 28.09.2011.
vi. Notification u/s 3-D- 1287(A) 03.06.2012.
vii. Its Paper Publication- 05.06.2012.
viii. Date of sending Estimate u/s 3G- 03.05.2013.
ix. Date of Approval & Estimate u/s 3G-
20.10.2013.
x. Date of Award U/s 3E on 23.05.2013.



xi. Date of Possession of land (Date of Dakhal Kabja)- 24.05.2013. ”

3. Learned counsel appearing for the petitioners submits that the compensation given to them was drastically lower than that of the rate of land which has been acquired and the Land acquisition Officer has not properly valued and assessed the compensation in terms of the extant rules. He points out that the land adjoining to the land of the petitioners so acquired has been given compensation at the higher rate than that of the petitioners and in spite of petitioners raising this issue of inadequate compensation before the authority, they are not taking any steps to redress the grievances of the petitioners of inadequacy of compensation. In the writ application, various documents, viz., sale deeds of adjoining land and rate details of compensation paid to the other persons of adjoining land have been vividly described.

4. Learned counsel representing the State submits that petitioners should have approached the Collector of the district under Section 64 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (in short RFCTLARR Act, 2013) whereby the Collector of the district is competent to make a



reference of such grievances of the petitioners to the appropriate authority for redressing the grievances of such persons who are filing this application highlighting various issues with respect to the inadequacy of compensation, measurement & demarcation of the land etc.

5. Perusal of the documents brought on record and averments made in the writ application do not leave an iota of doubt that the petitioners have proper remedy under Section 64 of the RFCTLARR Act, 2013 wherein their grievances could be redressed efficaciously and properly. 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."

6. Proviso to the Section 64 makes it amply clear that the District Magistrate-cum-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.

7. Section 60 of the aforesaid Act is also linked with Section 64 which mandates :-

"60. Powers of Authority and procedure before it.-(1) The Authority shall, for the purposes of its functions under this Act, shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) in respect of the following matters, namely:-

(a) summoning and enforcing the attendance of any person and examining him on oath.

(b) discovery and production of any



document or other material object producible as evidence;

(c) receiving evidence on affidavits;

(d) requisitioning of any public record;

(e) issuing commission for the examination of witnesses;

(f) reviewing its decisions, directions and orders;

(g) any other matter which may be prescribed.

(2) The Authority shall have original jurisdiction to adjudicate upon every reference made to it under Section 64.

(3) The Authority shall not be bound by the procedure laid down in the Code of Civil Procedure, 1908 (5 of 1908) but shall be guided by the principles of natural justice and subject to the other provisions of this Act and of any rules made thereunder, the Authority shall have the power to regulate its own procedure.

(4) The Authority shall, after receiving reference under Section 64 and after giving notice of such reference to all the parties concerned and after affording opportunity of hearing to all parties, dispose of such reference within a period of six months from the date of receipt of such reference and make an award accordingly.

(5) The Authority shall arrange to deliver copies of the award to the parties concerned within a period of fifteen days from the date of such award."

8. In these circumstances, petitioners should approach the District Magistrate-cum-Collector of the district Patna by filing an appropriate application under Section 64 of the Act (supra) highlighting the grievances supported with necessary and relevant documents in order to get their grievances redressed. If such an application is filed within four weeks from the date of production of the copy of this order along a proper



representation duly enclosing therewith the necessary and relevant documents, the Collector, Patna is duty bound to make a reference to the appropriate authority which shall consider and dispose off the matter within the stipulated time frame as mandated in Section 60(4) of the RFCTLARR Act, 2013.

9. It is also incumbent upon the appropriate authority to consider that if the claim of the petitioners is found substantiated in law, then the amount of award shall be modified along with the rate of interest which is to be paid on such compensation for delayed payment in terms of the Section 80 of the RFCTLARR Act, 2013

10. Thus, this writ application is disposed off in aforesaid terms.

11. Interlocutory application(s), if any, also stands disposed off accordingly.

(Rana Vikram Singh, J)

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