

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10450 of 2016

- 1.1. Manoj Kumar Son of Late Alakh Narayan Singh, Resident of Village - Mussi, P.S. - Makhdumpur, District- Jehanabad.
- 1.2. Pankaj Kumar Son of late Alakh Narayan Singh, Resident of Village - Mussi, P.S. - Makhdumpur, District- Jehanabad.
- 1.3. Vijay Kumar Son of late Alakh Narayan Singh, Resident of Village - Mussi, P.S. - Makhdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

1. The Union Of India.
2. The Secretary, National Highways Authority of India, G-5 and 6, Dwarika, New Delhi- 110075.
3. The National Highway Authority of India, D-63, Sri Krishnapuri, Patna-800001.
4. The State of Bihar, through the Chief Secretary, Government of Bihar, Old Secretariat, Patna.
5. The Collector, Jehanabad.
6. The District Land Acquisition Officer, Competent Authority, District- Jehanabad.
7. The Circle Officer, Makhdumpur Block, District- Jehanabad.
8. Sri Rajnandan Singh
9. Sri Yadunandan Singh
10. Sri Laxmi Narayan Singh
11. Rajdev Singh all sons of Late Mahadev Singh @ Mahadev Mahto
12. Most. Shanti Devi wife of Late Achutanand Singh
13. Arun Kumar Singh Son of late Duwarika Singh, Resident of Village - Mussi, P.O. and P.S. - Makhdumpur, District- Jehanabad.
13. Jogi Prasad Son of late Duwarika Singh, Resident of Village - Mussi, P.O. and P.S. - Makhdumpur, District- Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate
For the Respondent/s	:	Mr. S.D. Yadav, AAG-9
For the NHAI	:	Dr. Anand Kumar, Advocate
For the Resp nos	:	Mr. Aditya Kumar Pandey, Advocate
		Mr. Roshan Abhishek, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER



5 02-02-2026 Heard Mr. Bhola Prasad, learned counsel for the petitioners, Mr. S.D. Yadav, AAG-9, Dr. Anand Kumar, learned counsel for the NHA I and Mr. Aditya Kumar Pandey representing the respondent nos. 8 to 13.

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

“for issuance a writ in the nature of Mandamus or any other writ or writs, order or orders, direction or directions commanding the respondents particularly the respondent no. 5(the Collector, Jehanabad) to ensure the payment of compensation amount Rs. 12,25,476/- to the petitioner for which 0.30 dec. land of the petitioner has been acquired by the office of the respondent nos.6 and same amount has been fraudulently given by the District Acquisition Officer, Jehanabad to the private respondents no. 8 to 13 with recommendation of the Circle Officer, Makhdumpur, District - Jehanabad on the basis of forged documents manufactured by the respondents no.8 to 13 with the help of the respondents no.6 and 7 and further direct the Collector, Jehanabad



to take legal action against them.”

3. The matter relates to a piece of land mauza – Mussi Barra, Khata No. 283, Plot No. 891 in the district of Jehanabad.

4. It was to be acquired for the construction/widening of the Patna-Dobhi-Gaya road (NH-83) and after verification of the documents, the payments were made to respondent nos. 8 to 13.

5. The stand of the petitioner/substituted heirs in the writ petition is/are that erroneously, the payments made though this ancestral property went into their share.

6. The parties have filed their respective responses. The counter-affidavit of the respondent nos. 5 to 8 which includes the Collector, Jehanabad is also on record and learned AAG-9 took this Court to the paragraph-15 of the said affidavit to show that though earlier, LPC was issued in the name of the petitioner, it was prior to the separation of the shares of the joint family with regard to the ancestral land. Once the share went to the respondents, spot inspection/inquiry took place by the Circle Officer, Makhdumpur which and after having found bona fide of the respondents, the payments made.

7. Same is the stand of the respondent nos. 8 to 13 and he has taken this Court to paragraph nos. 12 and 13 to show that



after the death of Mahadev Mahto, all the sons separated themselves and this followed the entry of their names in the register too. In that background, after the notification issued, rightly, the payments made.

8. Reply to the counter-affidavit of the State-respondents has been filed by the petitioner and upon perusal of the same, it is clear that the paragraph-15 has not been specifically denied by the petitioners inasmuch as only passing reference has been made that the statement is incorrect.

9. This Court is of the opinion that the respondents were quite justified in the changed circumstance and the payments were made after the spot inquiry by the revenue authorities. If the petitioners have any grievance, the remedy lies before an appropriate authority/Court and not in a writ jurisdiction under Article 226 of the Constitution of India.

10. The writ petition fails, accordingly, dismissed.

11. Interlocutory application, if any, also stands disposed of.

(Rajiv Roy, J)

Adnan/-

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