

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14013 of 2021

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Md. Sayed @ Sayed Alam @ Md. Said S/o Late Maghu @ Late Magau,
Resident of Andabari, P.S.-Pathamari, District-Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secreary, Revenue and Land Reforms Department, Bihar, Patna.
2. The Collector Cum District Land Acquisition Officer, Kishanganj.
3. The Land Acquisition Officer, Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, (SC25)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 31-01-2026 Heard Mr. Bhola Prasad, learned counsel appearing

on behalf of the petitioner and Mr. Sajid Salim Khan, learned

SC25 for the State.

2. The petitioner in paragraph no. 1 of the present writ
petition has sought inter alia the following relief(s), which is
reproduced hereinafter:-

*“This writ application has been
filed for the following relief(s):-*

*(i) For issuance of an appropriate
writ order or direction quashing the Memo No.
5366 dated 16.11.2018 and Memo No. 1059
dated 30.04.2019 issued by the Collector cum
District Land Acquisition Officer, Kishanganj in
connection with L.A. Case No. 68/15-16 the
award has been prepared and to receive the
same submit the required documents.*

*(ii) Further direct the respondents
to consider the objection/claim of the petitioner
in the manner as laid down u/s 23 of Land
Acquisition Act 2013 as well as guideline issued*



on 18.12.2017 and 15.02.2018 and pay the adequate compensation treating the land to be residential.

And for any other relief (s) for which the petitioner is found to be entitled in the facts and circumstances of the case.”

3. Learned counsel appearing on behalf of petitioner informs that an award was prepared on 16.11.2018 and it is admitted that the petitioner has received the amount of compensation, however, the petitioner disputes the same in view of the fact that the adjoining land, which has been acquired in the said vicinity, the Minimum Value Register (MVR) of the area has been fixed on the basis of residential area. Being aggrieved by the same, the petitioner seeks to first avail remedy in accordance with the provision of Section 5 of the Bihar Agriculture Land (Conversion for Non-Agriculture Purposes) Act, 2010 (hereinafter referred to as the “The Act, 2010”) for conversion of the said land and thereafter, seeks to file a detailed application along with the Minimum Value Register (MVR) existing on the date in the vicinity of the land acquired by the Land Acquisition Officer, Kishanganj for the Railways.

4. Learned counsel appearing on behalf of the respondent submitted that though the petitioner has filed his objection after having received the compensation amount and now he wants to avail remedy under the Act, 2010 for the



conversion of the said land as a residential land, after making payment of the due amount and such belated relief is not maintainable in the eye of law and the writ petition is fit to be dismissed.

5. Having considered the rival submissions made on behalf of the parties, I find that the petitioner, after having received the amount of compensation, has filed his objection belatedly and till date he has not taken action to get his land converted as per provision of the Act, 2010 and straight away came to this Court for the relief(s) as prayed for in the present writ petition. The petitioner is directed to avail remedy in accordance with law, so as to first become entitled for claims and the relief(s) as prayed for in the present writ petition.

6. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

Ashishsingh/-

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