

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9871 of 2026

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Sangita Kumari w/o Sri Panchu Shankar Prasad R/o Bhikhachak, near By
Pass, P.O.Anishabad, P.S. Gardanibagh District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Road construction
Department, Bihar, Patna
2. Collector cum District Magistrate, Patna
3. District Land Acquisition Officer, Patna
4. Land Reform Development Commissioner, Danapur, Patna
5. Circle Officer, Danapur, Patna
6. National Highway Authority of India through its regional Officer, Bihar,
Patna
7. Project Director National Highway Authority of India, Patna, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Singh, Adv. Mr. Abhishek Kumar Singh, Adv.
For the Respondent/s	:	Mr. Manoj Kumar Ambastha, SC-26 Mr. Divit Vinod, AC to SC-26
For the NHAI	:	Mr. Sanat Kumar Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL ORDER

2 07-07-2026 Heard learned counsel for the parties.

2. A prayer has been made by filing the present writ application for a direction to the respondent authorities specially the respondent no. 3 i.e. District Land Acquisition Officer, Patna for payment of compensation amount to the petitioner for acquisition of 1.5625 decimal of land of commercial nature (639 square feet) appertaining to Khata No. 21, Survey Plot No. 376, Thana No. 45, Tauji No. 6269, Mauja Ushrikhurd, Halka-Sarari, P.S. Danapur, District-Patna.



3. Learned counsel for the petitioner submits that the aforesaid land of the petitioner has already been acquired in the year 2023 for which notice under Section 3A of the National Highways Act, 1956 have been issued on 24.09.2020. He also highlights that vide Notice No. 846 dated 07.09.2024, the District Land Acquisition Officer, Patna in Case No. L.A. Case No. 49 of 2020-21 issued notice to many persons including the petitioner, asking them to appear before the authority with relevant documents to support their claim of compensation on 23.09.2024. Pursuant to the aforesaid notice, as submitted, the petitioner had already appeared and submitted all relevant documents substantiating and buttressing her claim for payment of compensation of the aforesaid piece of land, which has duly been acquired, keeping in view the commercial nature of land. At last he submits that in spite of submission of all those relevant papers before the District Land Acquisition Officer, Patna on 23.09.2024, till date, not a farthing, much less the amount of compensation, has been paid to her, for the land already acquired in the year 2023.

4. Mr. Sanat Kumar Mishra, learned counsel appearing on behalf of the National Highways Authority of India fairly submits that from the documents, specially



Annexure-P/6 as contained in page 38 of the writ application, it is very much evident that pursuant to the notice dated 07.09.2024, the petitioner had appeared before the notice issuing authority i.e. District Land Acquisition Officer, Patna and submitted the document, but he is not in a position to apprise the Court with respect to the current status of payment of compensation.

5. It is not in dispute that 1.5625 decimal of commercial land of petitioner, as claimed, appertaining to the details of which has already been mentioned in the preceding paragraph, has already been acquired in the year 2023 pursuant to the second notice under Section 3A of the National Highways Act, 1956. It is also not in dispute that the notice has already been issued by the District Land Acquisition Officer on 07.09.2024 asking the petitioner to appear before him with all relevant documents in support of her claim of compensation. It is equally not in dispute that petitioner had already appeared and submitted all her documents in support of her claim, but tragically the matter has been kept pending by the District Land Acquisition Officer since September, 2024 till date, thereby leaving the petitioner in the lurch and she is being harassed for none of her fault.



6. It is incumbent upon the authorities who are entrusted in law to acquire land, to make payment of compensation of the aforesaid acquisition to the rightful owner as expeditiously as possible and in case of any dispute with respect to the right, title and possession over the said piece of land, to decide the issue forthwith, without any unnecessary and inordinate delay.

7. Responsibility of holding an administrative post comes with heavy onus of discharging the responsibility in consonance with the law. Being the administrative authority does not mean you are above the law. It is a golden principle that howsoever how you might be, the law is above you and this golden principle which has now been accepted universally, cannot be allowed to be dissipated for this wanton act of recklessness and negligence on the part of the District Land Acquisition Officer, Patna who, in spite of having issued notice in the year 2024, have kept the matter pending till date, without deciding the claim of the petitioner and without passing an order making payment of the compensation for the land already acquired.

8. This poor and hapless lady has been harassed for none of her fault, which is simply unacceptable to this Court. As



a law abiding citizen and that too holding a very important and responsible post of District Land Acquisition Officer, the respondent no. 3 is duty bound to ameliorate the grievances of the petitioner forthwith, without any further delay and that too within a period of two months henceforth, failing which serious legal consequences will entail and he will have to explain his conduct for making such an inordinate delay in payment of compensation amount to the rightful owner of the land.

9. The writ application stands disposed off.

(Rana Vikram Singh, J)

Supratim/
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