

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17954 of 2021

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1. Umesh Chandra Jha, Son of Late Yadunandan Jha,
 2. Utkarsh Gautam, Son of Umesh Chandra Jha,
- Both are Resident of Village - Singhar, P.O. - Singhar, Block - Alamnagar,
P.S. - Alamnagar, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The Commissioner, Saharsa.
3. The District Magistrate, Madhepura.
4. The Superintendent of Police, Madhepura.
5. The Sub Divisional Officer, Udakishunganj, Madhepura.
6. The Block Development Officer, Alamnagar Block, District - Madhepura.
7. The Circle Officer, Alamnagar Police Station, Alamnagar, Madhepura.
8. The Officer - in - Charge, Alamnagar Police Station, Alamnagar, Madhepura.
9. Mamta Shahi, Wife of Hitler Shahi, The Ex-Mukhiya, Singhar Gram Panchayat, Block - Alamnagar, District - Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Gyanand Roy, Advocate
Mr. Amish Kumar, Advocate
For the Respondent/s : Mr. Kameshwar Prasad Gupta (Gp10)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

8 29-01-2026 Heard Mr. Gyanand Roy and Mr. Amish Kumar,

learned counsels appearing on behalf of the petitioner and Mr.

Kameshwar Prasad Gupta, learned GP 10 for the State.

2. Petitioners have *inter alia* prayed for following
reliefs in the paragraphs No.1 of the writ petition:-

*“(I) For direction to the respondents concerned
to dismantle and remove the PCC (Plain Cement
Construction) road constructed over the private raiyati land*



of the petitioners situated over Khata No.118, Khesra No.689, Mauza- Singhar, Thana-86/2, village- Singhar which has been constructed illegally without any sanction of the competent authority and also in complete breach of the direction issued by this Hon'ble Court in CWJC No.8319 of 2013.

(ii) For direction to the respondents concerned to restore and deliver the possession of the aforesaid land to the petitioners which has wrongly and illegally been utilized for constructing the PCC road over Khata No.118, Khesra No.689, Mauza- Singhar, Thana No.86/2 in village- Singhar, Block- Alamnagar, District, Madhepura.

(iii) For holding appropriate enquiry in the aforesaid irregularity/illegality committed in constructing the PCC road over Khata NO.118, Khesra No.689, Mauza- Singhar, Thana No.86/2 in village- Singhar, Block- Alamnagar, District- Madhepura by Higher officials of the State Government and holding the persons responsible in that regard and to take suitable action against the persons responsible.

(iv) For direction to the respondents concerned to pay adequate compensation to the petitioners for causing irreparable loss and injury to the petitioners by illegally constructing PCC road over their private lands as mentioned above."

3. In compliance of the order dated 08.01.2026, the report of the three men committee dated 24.01.2026 duly constituted has been placed before the State Counsel/Mr. Virendra Kumar, who informs that after proper determination of the land, measuring an area of 8 decimal 283 *square kari*, over which PCC road has been constructed and being used by the public, is in the name of the petitioners as per the revenue record and it has been reported by the joint committee report that petitioners are entitled for compensation for the said area.

4. In view of the aforesaid information, the District Magistrate, Madhepura in view of the report of the three men



committee after verifying from the records at his own level must forthwith call upon the District Land Acquisition Officer, Madhepura and direct the District Land Acquisition Officer to make the required forms available to the petitioners and see that all the formalities in applying for the compensation is fulfilled and if any assistance is required to the petitioners, he must provide all the assistance to the petitioners in that regard.

5. The District Land Acquisition Officer, Madhepura, after making payment of required compensation amount forthwith to the petitioners as per the present value in the area on the basis of MVR determined in that regard, give information to the District Magistrate-cum-Collector well within a period of three weeks from the date of communication of this order that he has made payment of entire required amount of compensation to the petitioners in accordance with law so that the petitioners may not be harassed.

6. The District Magistrate-cum-Collector must ensure that Land Acquisition Officer make payment of the compensation to the petitioners well within a period of three weeks from the date of communication of this order, or the District Magistrate-cum-Collector will be held solely responsible for not complying with the order of this Court.



7. The petitioners in alternative if aggrieved in respect of the total area which has been claimed, are at liberty to avail appropriate remedy in accordance with law.

8. The writ petition stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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