

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18231 of 2021

1. Jitendra Yadav S/O - Sri Bijali Yadav R/O Vill and P.O. - Phulhar, P.S. - Harlakhi, Distt- Madhubani.
2. Raj Narayan Mahto S/O Late Brahmadeo Mahto R/O - Vill - Gopalpur, P.O. - Phulhar, P.S. Harlakhi, Distt- Madhubani.
3. Shyam Prasad Gupta S/O - Late Sukhdeo Sah R/O - Vill and P.O. - Phulhar, P.S. - Harlakhi, Distt- Madhubani.
4. Bhogendra Sah R/O - Vill and P.O. - Beta Parsa, P.S. - Harlakhi, Distt- Madhubani.
5. Ramchandra Mahto S/O - Late Genalal Mahto R/O Vill and P.O. - Phulhar, P.S. - Harlakhi, Distt- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Home, Government of Bihar, Old Secretariat, Patna.
4. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Old Secretariat, Patna.
5. The Collector, Madhubani.
6. The Circle Officer, Harlakhi, District- Madhubani.
7. The Land Acquisition Officer, Madhubani.
8. The Union of India through Director General, Sashstra Seema Bal, Force Headquarter, East Block - V, R.K. Puram, N. Delhi.
9. The Director General, Sashstra Seema, Bal, Force Headquarter, East Block - V, R.K. Puram, N. Delhi.
10. The Inspector General, Frontier Headquarter, Sashstra Seema Bal, Patna.
11. The Commndant 48th Battalion, Sashstra Seema Bal, Jainagar, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Shekhar Singh
For the Respondent/s	:	Mr. Sajid Salim Khan (SC 25)
For the SSB	:	Mr. Anshay Bahadur Mathu, CGC

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL JUDGMENT

Date : 07-04-2026

Heard Mr. Chandra Shekhar Singh, learned counsel for
the petitioners, the learned SC-25 for the State and Mr. Anshay
Bahadur Mathur, learned CGC for the respondents.



2. The petitioners have approached this Court for directions upon the respondent authorities not to acquire the land of the petitioner for the purpose of extension of SSB Camp without making payment of compensation and to further direct the authority to produce all the documents related to land acquisition and abstain from taking possession during the pendency of the writ application.

3. Learned counsel for the petitioners submits that the lands of the petitioners though has been taken for SSB Camp, Phoolhar, however, till date no compensation has been paid and the possession and construction of boundary wall has been done. It has been submitted that the land of the petitioners fall at the side of NH 104/227 and are commercial and residential in nature and in view of the fact that the compensation is based on a lesser value, the said amount has not been paid to the Raiyats including the petitioners. It has been submitted that the petitioners and the others have been demanding for a higher compensation, however, the authorities are not paying the said amount and have also taken possession of the said land.

4. Learned AC to SC 25 as well as the learned CGC for the SSB contend that the amount has already been deposited with the authorities and it is the petitioners and others who are not



receiving the said amount and from the averment made in the writ petition also it would be evident that they have not raised any objection with regard to the quantum of compensation.

5. The learned CGC has submitted that the acquisition process was conducted by the respondent no. 7 in terms of the Land Acquisition Act, 1894 and compensation for the entire three acres of land was determined at Rs. 31,71,825/- along with an additional amount of Rs. 7 lakhs and odd and the said amount has been deposited with the respondent no. 7 *i.e.* the Land Acquisition Officer, Madhubani for payment of compensation to the land owners including the petitioners. It has been submitted that only after getting the certificate of possession and after the land being demarcated through precast RCC poles, that the barbed wire fencing was carried out, however the petitioners and other villagers obstructed the fencing work and the matter was also intimated to the District Administration.

6. Learned AC to SC 25 submits that despite notice issued to all the land owners for payment of compensation in terms of the award, nobody including the petitioners came to the office of respondent no. 7 for receiving the amount of compensation and, therefore, on the instructions of the Collector, Madhubani, the entire amount of compensation amounting to Rs. 32,47,425/- has



been deposited by the respondent no. 7 before the Land Acquisition Rehabilitation Settlement Authority, Darbhanga on 18.08.2017. It has been submitted that the petitioners have alternative remedy, instead they have chosen to approach this Court, however, they may be relegated to the respective authorities to raise objection with regard to the quantum of compensation.

7. Having heard the learned counsel for the parties and taking into account the fact that the amount has already been deposited with the Land Acquisition Rehabilitation Settlement Authority, Darbhanga, the petitioners are directed to approach the authority *i.e.* Respondent No. 7, the Land Acquisition Officer, Madhubani with their grievances; especially with regard to the quantum of compensation and raise all other grievances bringing on record all relevant documents showing their title over the land under acquisition, within a period of three weeks from the date of this order, along with their representations and the authority concern shall consider their applications and after hearing the parties, pass a detailed and reasoned order, clarifying the basis of such calculation, within a period of three months thereafter.

8. The petitioners shall be at liberty to approach appropriate forum, if they remain dissatisfied with the order passed by Respondent No. 7.



9. The application stands disposed of accordingly.

(Sourendra Pandey, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.04.2026
Transmission Date	NA

