

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10999 of 2026

Vijay Kumar Son of Sri Gajendra Narayan Sah, Resident of Village-
Bishunpur Arar, P.S. Arar, District - Madhepura.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Road Transport and Highways, Government of India.
2. The Project Director, National Highway Authority of India, Madhepura.
3. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
4. The Additional Collector, Madhepura.
5. Deputy Development Commissioner, Madhepura.
6. The Competent Authority-cum-District Land Acquisition Officer, Madhepura.
7. The District Sub Registrar, Madhepura.
8. The Circle Officer, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar, Advocate
For the State	:	Mr. Uday Shankar Singh, Advocate
For the NHAI	:	Dr. Maurya Vijay Chandra, Advocate
	:	Ms. Preety Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-07-2026 Heard Mr. Devendra Kumar, learned counsel for the petitioner, Mr. Uday Shankar Singh representing the State as also Dr. Maurya Vijay Chandra representing the NHAI duly assisted by learned counsel, Ms. Preety Ranjan.

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

*“(i) to issue an appropriate writ in
the nature of direction/directions to*



the Respondent Competent Authority-cum-District Land Acquisition Officer, Madhepura to consider the objection under Section 3(g) (1) of the National Highways Act, 1956 for not acquiring a piece of land measuring Area 0.2506 Hectare bearing Plot No. 1299, Khata No. 136 in Mauja Resna, Thana No. 150, Circle Gwalpara, District Madhepura which is not in the draft notification of the Respondent for the proposed acquisition in the project for the development of Green Field Express Way from Patna to Purnea in the State of Bihar for the project of retail outlet of MS/HSD of the Petitioner may be saved.

(ii) to issue an appropriate writ in the nature of direction or directions



to the Respondent Authorities to consider the draft notification of the Ministry of the Road Transport and Highways wherein the required land has been mentioned and to act upon as a welfare state for not acquiring the land if it is not necessary and it is not required for the proposed project.

(iii) to issue any other writ/writs and/or direction /directions to the respondents as your Lordships may deem fit and proper in the facts and circumstances of the case.”

3. The petitioner owns a piece of land details of which is as under:

“(i) Khata No. 136

(ii) Plot No. 1299

(iii) Mauza- Resena

(iv) Thana No.-150

(v) Circle- Gwalpara

(vi) District- Madhepura



(vii) Area- 51.666”

4. The Ministry of Road Transport and Highways (Henceforth for short ‘the MoRTH’) came out with Gazette notification dated 13.04.2026 for the construction of greenfield expressway in the district of Madhepura between kilometer 168.3-185.7 for which, the acquisition process was to be undertaken. It was under Murliganj sub-division and the villages included are Rajni, Resna and Bhagarawa. The petitioner finds his plot number at serial 147 which has been recorded as private residential land (0.2506 decimal). He wants change of alignment as the contention is that Indian Oil Corporation Limited, Begusarai has issued advertisement for the dealership and the said land has been selected.

5. Learned counsel for the petitioner as also ‘the NHAI’ jointly submit that the petitioner owns 51.666 decimal land of which only 0.2506 decimal has been published which is going to be acquired and thus, major chunk of the land of the petitioner is not acquired. The alignment was decided, the respondent resist from changing it as it is published only after a



thorough survey/report of the team.

6. Learned counsel for the petitioner and the State submits that it would suffice if he is allowed to represent 'the NHAI' so that, if possible, they consider the case of the petitioner of leaving out his land.

7. The respondents have no objection to it.

8. in that background, the writ petition stands disposed of allowing the petitioner to approach respondent no. 2, The Project Director, National Highway Authority of India, Madhepura and/or appropriate authority in next four weeks and it is expected from the concerned office that once the petition is received in his/her office, it would be taken to its logical conclusion at an earliest.

(Rajiv Roy, J)

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