

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14320 of 2022

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Bhola Prasad Singh Son of Late Baijnath Singh Resident of Village-
Tarakunda, Police Station- Belhar, District- Banka.

... .. Petitioner

Versus

1. The State of Bihar Through the Chief Secretary, Department of Human Resources, Government of Bihar, Patna.
2. The Divisional Commissioner Bhagalpur at Bhagalpur.
3. The District Magistrate Banka at Banka.
4. The Land Acquisition Officer District- Banka at Banka.
5. The Circle Officer, Chandan Block At Chandan, District- Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Uma Shankar Tiwary, Advocate
For the Respondent/s	:	Mr. Madan Jeet Kumar (Gp 20)
		Mr. Mrigendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL JUDGMENT
Date : 17-07-2026

Heard Mr. Uma Shankar Tiwary, learned counsel
for the petitioner and Mr. Mrigendra Kumar, learned counsel for
the State.

2. The present writ petition has been filed for the
following relief(s):

“(i) For the issuance of the writ of mandamus commanding the Respondents to pay compensation and solatium amount to the petitioner whose land (2 Acre) was forcibly acquired for the purpose of construction of Adivasi Residential School at the petitioner's village- Tarakunda.



(ii) For direction to the Respondents to fix the rate for forcibly acquired land of the petitioner at commercial rate as the land in question is adjacent to the Road.

(iii) For direction to the Respondents for pay adequate compensation for the trees attached to the land in question.

(iv) For direction to the Respondents for pay statutory interest and solatium amount from the date the Respondent forcibly acquired the land to the date of payment.

And/or

Lordship may be pleased to pass any order/direction/ in the interest of justice and equity.”

3. The counsel for the petitioner submits that the Department of Education, Government of Bihar has taken two acre of land of the petitioner for construction of Adivasi Residential School at petitioner's village i.e., Tarakunda without paying any compensation to the petitioner. He further submits that the petitioner met the Circle Officer complaining the construction of the Boundary wall over his land without any notice and without following the procedure prescribed for the acquisition of land and without paying compensation and solatium and other benefits prescribed by law. He also submits that when no action was taken, then he filed a representation dated 11.10.2021 to the Collector, Banka and the Circle Officer



through registered post.

4. The counsel for the State vehemently opposes the prayer of the petitioner and argued that land in question bearing Thana No. 115/5, Khata No. 15, Khesra No. 82 is recorded in Khatian as Gairmajarua Mokridar and its nature is parti kadim which means that the petitioner or his ancestors had taken the land on lease on a fixed rent and if he failed to pay the rent or if he has paid rent, thereafter, abolition of the jamindari, the Jamindar has to file return in their name. He further submits that the petitioner has neither filed Jamabandi receipts nor rent receipts and the filed rent receipt appears to be forged and fabricated.

5. Heard learned counsel appearing on behalf of the parties.

6. From the submission of the State, it has been made clear that the petitioner's claim of compensation over the land has been disputed by the State. Looking into the issue in totality, liberty is being given to the petitioner to file a fresh representation before the "Authorities concerned" with all the relevant documents in respect to land in question and the "Authorities concerned" shall look into the issue and decide his representation within a period of four weeks.



7. With the aforesaid observation, this writ petition
is disposed of.

(Alok Kumar, J)

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AFR/NAFR	
CAV DATE	13.07.2026
Uploading Date	17.07.2026
Transmission Date	

