

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15209 of 2023

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Rajendra Prasad Singh Son of Late Chuni Singh, R/o village - Barundih, P.S. - Barun, Dist. - Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Collector, Aurangabad.
2. The District Collector, Aurangabad, Dist. - Aurangabad.
3. The Additional Collector, Aurangabad, Dist. - Aurangabad.
4. The Land Acquisition Officer, Dist. - Aurangabad.
5. The Competent Authority cum Deputy Collector, Land Reforms, Aurangabad, Dist. - Aurangabad.
6. The Anchal Adhikari, Barun Anchal, Dist. - Aurangabad.
7. The Project Manager, NHAI, Aurangabad /Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Brij Bihari Tiwary, Advocate
For the Respondent/s	:	Mr.Birendra Prasad Singh, AC to SC-19
For NHAI	:	Dr. Maurya Vijay Chandra, Advocate
		Ms. Preety Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-03-2026 Heard Mr.Brij Bihari Tiwary, learned counsel for the petitioner and Dr. Maurya Vijay Chandra, learned counsel for the NHAI as also Mr. B.P. Singh, learned counsel for the State.

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

(i) for setting aside the order dated 7.07.2022 passed jointly by learned L.R.D.C. and sub Divisional Officer, Aurangabad in title verification case No. 34/2020-2021



whereby and where under the Raiyati claim of the petitioner has been recommended to be rejected based on the report of Circle Officer, Barun and forwarded the same to the Add. Collector, Aurangabad;

(ii) for setting aside the order dated 09.02.2023 passed in the title verification case No. 34/2020-2021 by the Add. Collector and Collector, Aurangabad whereby the order of learned L.R.D.C & S.D.O, Aurangabad dated 07.7.2022 passed in aforesaid mentioned case has been confirmed;

(iii) in the nature of mandamus also directing and commanding the respondent authorities for payment of compensation amount to the petitioner for the land which has been acquired by the respondents;

(iv) for issuance of any other relief or relief or reliefs for which the petitioner is entitled for.

3. The details of the land has been incorporated at 04



and is/are as follows:

“Mauza-Barun, P.S.-Barun, District-Aurangabad bearing Thana no. 155, khata no. 171, khesra no. 1274 area 160 square metre.”

4. Learned counsel for the petitioner submits that the agnate of the petitioner namely Upendra Singh approached this Court in **C.W.J.C. No. 14096 of 2023 (Upendra Singh vs. the State of bihar & Ors.)** which came to be disposed of on 13.11.2024 and the writ petition was allowed.

5. The petitioner's case is in line with the said order.

6. Paragraphs 10 to 12 of the order passed in Upendra Singh (supra) case read as under:

10. having heard the parties and it appears that the ancestor of the petitioner has got the land in question and received the same from the erstwhile landlord and the name of father of the petitioner was entered in Register-II and after death of his father, the petitioner has also paid the rent to the authority concerned till



2022 and without verifying the same, the order dated 07.07.2022 jointly passed by learned L.R.D.C and Sub Divisional Officer, Aurangabad in Title Verification Case No: 35/2020-2021 and order dated 09.02.2023 passed in the Title Verification Case No. 35/2020-2021 by the Add. Collector and Collector, Aurangabad;

11. in view of the aforesaid, the order dated 07.07.2022 jointly passed by learned LRDC and Sub Divisional Officer, Aurangabad in Title Verification Case No. 35/2020-2021 and order dated 09.02.2023 passed in the Title Verification Case No. 35/2020-2021 by the Add. Collector and Collector, Aurangabad are set aside and State shall be at liberty to file a suit if it challenged the settlement in favour of the predecessor-in-interest of the



*petitioner and Jamabandi in their
favour but filing of the Title Suit by the
State will not deny the compensation
amount which is to be paid to the
petitioner pursuant to the land having
been acquired by the competent
authority;*

*12. accordingly, this writ application
stands allowed.*

7. Learned counsel for the State as also 'the NHAI' failed to clarify the matter by filing proper petition pursuant to the order passed by a coordinate bench on 16.10.2026 on this aspect. It has been informed by the learned counsel that the respondents chose not file any appeal and pursuant to the contempt petition filed by Upendra Singh (**vide MJC No. 2283 of 2025**), the steps have also been taken to make payment.

8. In that background, instead of adjourning the matter and imposing the cost upon the respondent, it would be appropriate to allow the petitioner to approach the Collector, Aurangabad alongwith all the relevant documents including the order dated 13.11.2024 passed in **Upendra Singh** (supra) case and the subsequent development that has been taken place



resulting into the issuance of the letter issued by the competent Officer cum Deputy Collector, Land Reforms Department, Aurangabad.

9. If such petition is preferred in next eight weeks, the Collector, Aurangabad is duty bound to look into the matter, the claim of the petitioner and after hearing the parties, shall pass a reasoned order within a period of three months from the date the petition/representation is received in his/her office.

10. Needless to add, if it is found that the case of the petitioner is similar to that of Upendra Singh (supra) and the Collector, Aurangabad pass an order in this regard, the natural consequences must follow within the period of next two months from the date the order is passed by the Collector, Aurangabad.

11. With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

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