

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1158 of 2023

In
Civil Writ Jurisdiction Case No.16994 of 2009

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1. Rajgrihi Singh, S/o Late Rameshwar Singh, Resident of Village - Shahjahanpur, P.O.- Mahuli Ghat, P.S.- Barhara, District- Bhojpur at Ara.
 2. Chandrabhushan Singh, Son of Late Rameshwar Singh, Resident of Village - Shahjahanpur, P.O.- Mahuli Ghat, P.S.- Barhara, District- Bhojpur at Ara.
 3. Ram Niwas Singh, S/o Late Raj Bahadur Singh, Resident of Village - Shahjahanpur, P.O.- Mahuli Ghat, P.S.- Barhara, District- Bhojpur at Ara.

... .. Appellant/s

Versus

1. Ramesh Kumar Singh, S/o Late Dayanand Singh, Resident of Village Farhada, P.O. Nathmalpur, P.S. Barhara, District Bhojpur at Ara.
2. The State of Bihar, Bihar.
3. The Secretary, Revenue Department, Government of Bihar, Patna.
4. The District Magistrate, Bhojpur at Ara.
5. The District Land Acquisition Officer, Bhojpur at Ara.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Nagendra Rai, Advocate Mr. Navin Nikunj, Advocate Mr. Koshalendra Rai, Advocate
For the State	:	Mr. Arun Kumar Bhagat, AC to AAG-12
For the Respondent	:	Mr. Jitendra Pd. Singh, Sr. Advocate Mr. Rajeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

Date : 27-07-2026

Heard Mr. Nagendra Rai, learned counsel for the appellants; Mr. Arun Kumar Bhagat, learned AC to AAG-12 and Mr. Jitendra Pd. Singh, learned senior counsel, assisted by Mr. Rajeev Kumar, appearing for the private respondent No.1.



2. Though the present appeal has been filed assailing the impugned judgment dated 25.08.2023 passed in C.W.J.C. No. 16994 of 2009, however, the learned counsel for the appellants, Sri Nagendra Rai, has submitted at the outset that the appellants have already received the compensation amount arising out of Land Acquisition Case No.11 of 2006-07, hence, the appellants are ready to furnish an indemnity bond before the learned District Magistrate, Bhojpur at Ara to the effect that in case the first appeal bearing First Appeal No.193 of 2019 filed by the respondent no.1 (arising out of probate case filed by the father of the respondent no.1, which had stood dismissed) is allowed in favour of the respondent No.1, the entire amount of compensation amount received by the appellants, as aforesaid, shall be immediately deposited in the bank account of the respondent no.1.

3. It has further been submitted by the learned counsel for the appellants that as far as the First Appeal No. 777 of 1977 is concerned, the same arises out of an order dismissing the suit filed by the grandfather of the appellants, which in turn arises out of proceeding emanating out of order passed under Section 145 of the Cr.P.C., however, the same has stood dismissed for default and the appellants have got no intention to get the same



restored.

4. At this juncture, the learned Senior counsel for the respondent no.1 submits that the learned Single Judge has directed the amount of compensation, as aforesaid, to be kept in a fixed deposit so that the same would earn interest, however, if the appellants are being granted liberty to furnish an indemnity bond, as aforesaid, this Court may indicate about the interest to be paid along with the compensation amount by the appellants in case First Appeal No.193 of 2019 is allowed.

5. Having regard to the facts and circumstances of the case, we deem it fit and proper to dispose of the present appeal with the express consent of the parties to the effect that in case the appellants have received the amount of compensation, as aforesaid, they would furnish an indemnity bond with the learned District Magistrate, Bhojpur at Ara, to the effect that in case the aforesaid first appeal bearing First Appeal No.193 of 2019 is allowed in favour of the respondent no.1, the appellants shall refund the entire amount of compensation along with interest at the rate equivalent to the rate fixed by the State Bank of India for fixed deposits, starting with effect from 25.08.2023, i.e., the date of the impugned judgment.

6. The indemnity bond to be furnished by the



appellants before the learned District Magistrate, Bhojpur at Ara, shall be furnished within a period of four weeks from today.

7. Accordingly, the present appeal stands disposed of.

(Mohit Kumar Shah, J)

(Sourendra Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.07.2026
Transmission Date	NA

