

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15425 of 2023

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Jaibun Khatoon W/o Late Vahid Miya @ Vahir Miya, resident of Village-
Bhatahandi, P.S.-Sahebganj, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Bihar, Patna.
2. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate-cum-Collector, Muzaffarpur.
4. The Additional Collector, Muzaffarpur.
5. The District Land Acquisition Officer, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate
For the Respondent/s : Mr. Birendra Prasad Singh (Sc 19)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-05-2026 Heard the parties.

2. This writ petition has been preferred for:

*“(i) To issue an appropriate
order/s, direction/s including a writ
preferably in the nature of mandamus
commanding and directing upon the
respondents to make the payment of
compensation to the petitioner in lieu of
acquisition of his land measuring
0.06070420 appertaining to Khata No. 252,
Khesra No. 441 in which Pucca House 1620*



square feet has been situated in Mauza Bhatahandi within Sahebganj circle, District Muzaffarpur acquired for the purpose of construction of road treating the nature of land residential not agricultural.

(ii) To direct the respondent to make the payment of compensation of above mentioned land to the petitioner which is residential in nature in which purchased through sale deed.

(iii) To direct the respondents to make the payment of compensation of land along with penal interest on account of delay and laches on their part.

(iv) To any other reliefs/s to which the petitioner may be found entitled in the facts and circumstances of the case.”

3. After some argument, learned counsel for the petitioner submits that the petitioner shall be approaching the Arbitrator-cum-Divisional-Commissioner, Muzaffarpur for redressal of the grievance as admittedly, the land should have been in the category of residential but has been clubbed as



agricultural.

4. Learned State counsel has no objection.

5. In that background, the writ petition is disposed of allowing the petitioner to approach before the aforesaid respondent who shall be noticing/hearing all the parties and shall take the matter to its logical conclusion at the earliest.

(Rajiv Roy, J)

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