

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17492 of 2023

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Baidhnath Prasad Son of Late Ramchandra Sah, Resident of Village-
Singhani, Ward No.11, Sangani Indarwa, District- Sheohar, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, District- Sheohar.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The Land Reforms Deputy Collector, District- Sheohar.
4. The Circle Officer, Circle Office, Piprahi, District- Sheohar.
5. The Land Acquisition Officer, Land Acquisition Office, District- Sheohar.
6. The Executive Engineer, Water Resources Department, Bagmati Division,
Sheohar, District- Sheohar.
7. The Executive Engineer, Additional Road Division, Sheohar, District-
Sheohar.
8. The Assistant Engineer, Additional Road Division, Chakiya, District-
Motihari.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Madhusudan Kumar, Advocate
For the Respondent/s	:	Mr.Mujtabul Haque, G.P.- 12
		Mr. Manish Kumar, AC to GP-12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-04-2026 Heard Mr.Madhusudan Kumar, learned counsel for

the petitioner and the State.

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

*(i) this writ petition is to restrain the
authorities concerned the land of the
petitioner has been acquired for State
Highway 54 (P.W.D. Road) for joint of*



District Sheohar and District- Motihari without any notice to the petitioner, without any proceeding or without any compensation and which section of land Acquisition Act. Suo-Motuly as desired by them the authorities have acquired the land of the petitioner.

3. The counter affidavit/supplementary counter affidavit have come and the last affidavit of the respondent no.5 duly signed by the D.C.L.R., Sheohar, in paragraph-16 has recorded as under:

16. That in cost of repetition it is humbly submit that the project of State Highway 54 (P.W.D. Road) for joint of District- Sheohar and District- East Champaran (Motihari) which has been 75% project has been completed upto small bridge as per 1" Survey Map by the authorities and not to divert 40 meter back through Khesra No.835 under Thana No.123 and proceed the project work towards small bridge for



which the work has been left out.

4. This statement of the respondents that the land acquisition is under process and the land of the petitioner has still not been acquired has no rebuttal despite the fact that copy was served upon the learned counsel for the petitioner on 11.07.2024.

5. This Court is convinced that the apprehension of the petitioner is unfounded when a categorical statement has been made by the respondent authorities that his land has still not been acquired.

6. If the situation so warrant and the respondents change track and decided to go for the acquisition, it has to be done only in accordance with law and not otherwise.

7. Again, the liberty shall be with the petitioner to agitate the matter afresh if he thinks that the respondents are acting in a irrational manner and not in accordance with law.

8. At this stage, learned counsel for the petitioner submits that he may be allowed to file a fresh petition/representation alongwith copy of this order so that the Collector, Sheohar could decide the matter in accordance with the law.



9. Learned State counsel has no objection.

10. The writ petition is disposed of with the observation if the petitioner files a fresh petition alongwith all the supporting documents in eight weeks, the Collector, Sheohar shall be taking up the matter and after hearing the parties will pass a reasoned order.

(Rajiv Roy, J)

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