

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18662 of 2025

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Baliram Singh Son of Late Sohan Singh, resident of village and P.O.-
Bishunpura, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Revenue and Land Reforms Department, Bihar, Patna.
2. The District Magistrate, Patna.
3. The Competent Authority cum District Land Acquisition Officer, Patna.
4. The National Highway Authority of India through its Project Director, Project Implementation Unit, Vivekanand Marg, Boring Road, Patna.
5. The Project Director, National Highway Authority of India, Project Implementation Unit, NHAI, Vivekanand Marg, Boring Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Lal Mani Sharma, Advocate Mr. Dilip Kumar Tewari, Advocate
For the Respondent/s	:	Mr. Yogendra Pd. Sinha, AAG-7 Mr. Rajeev Kumar Sinha, AC to AAG-7
For the NHAI	:	Mr. Maurya Vijay Chandra, Advocate Mr. Gaurav Govinda, Advocate Ms. Preety Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 31-03-2026 Heard Mr. Lal Mani Sharma, learned counsel for the

petitioner, the State as also the NHAI.

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

*“(i) For issuance of an appropriate writ
order or direction directing and commanding the
respondents to pay the petitioner immediately
without any further delay the amount of
Compensation for the land of the petitioner
pertaining to Khata no. 473, Thana no. 53,*



Plot/Khesra no. 2470, Area 21 Decimals of Mauza Mahadevpur Fulari according to Commercial Rate alongwith 100% Soletium as well as up to date interest as provided under Section 80 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (hereinafter to be referred as RF CTLARR, Act, 2013).

(ii) For issuance of an appropriate writ directing and commanding the respondents to pay the petitioner immediately, without any further delay the amount of compensation for the damages caused to the petitioner by the respondents by demolishing the construction / house which was constructed by the petitioner and was standing over the aforesaid land of the petitioner, even without paying any amount of compensation to the petitioner for his aforesaid land as well as for the said constructions which has been demolished by the respondents.

(iii) For any other relief / reliefs of which the petitioner is legally entitled to.”

3. The details of the land in question is/are as follows:

“Khata no. 473, Thana no. 53,



Plot/Khesra no. 2470, Area 21 Decimals of Mauza Mahadevpur Fulari.”

4. In the first round of litigation, the petitioner moved before this Court in CWJC No. 11138 of 2023 (Balram Singh vs. The State & Ors.) which was disposed of on 29.03.2024 with a direction to the Collector, Patna to decide the matter (Annexure P/4 to the petition).

5. Accordingly, the Collector, Patna took up the Raiyatikaran Case No. 01 of 2024-25 (Balram Singh vs The State) and disposed it of on 19.10.2024 vide a detailed order recording that in the light of the recommendation made by the Circle Officer, Bihta and the DCLR, Danapur, the land in question is declared raiyati and the respondents to take further steps in the matter. (Annexure-P/5 to the petition).

6. Aggrieved, the present petition.

7. Learned counsel for the petitioner submits that the land has been taken over for the purpose of Danapur-Bihta Flyover. The claim of the petitioner is that some cubicles/shops were there but ignoring it as also the recommendation of the Six-men Committee, it has been put in the category of residential land and accordingly, direction is given to make payment.

8. The respondents have filed their affidavits and learned State counsel with the help of paragraph nos. 11 and 14



submits that on the basis of the report submitted, the Collector, Patna has taken decision which needs no interference. Further, if aggrieved, the petitioner can approach the Arbitrator-cum-Commissioner, Patna Division under the provisions of Section 3G(5) of the National Highway Act, 1956.

9. The facts and the submissions have been recorded, the respondents have detailed out their stand by way of the order passed by the Collector, Patna.

10. If the petitioner is still aggrieved, he is well advised to approach the Arbitrator-cum-Commissioner, Patna Division, Patna for the redressal of the grievance.

11. Needless to add, if the petitioner is otherwise eligible for the payment and has accordingly submitted all the documents to satisfy the respondents, it is high time that the payment is released in his favour.

12. With the aforesaid observation, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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