

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18330 of 2023

1. Ambika Dutt Son of Late Sachidanand Singh, Resident of Village- Shantipuri, P.S.- Town Motihari, District- East Champaran.
2. Durga Dutt, Son of Late Sachidanand Singh, Resident of Village- Shantipuri, P.S.- Town Motihari, District- East Champaran.
3. Priya Ranjan Kumar, Son of Late Shayamakant Singh, Resident of Village- Kanchhedwa, P.S.- Kanchhedwa, District- East Champaran.
4. Mani Ranjan Kumar, Son of Late Shyamakant Singh, Resident of Village- Kanchhedwa, P.S.- Kanchhedwa, District- East Champaran.

... .. Petitioner/s

Versus

1. The Union of India through the Principal Secretary, Ministry of Railway, Govt. of India, New Delhi.
2. The Director, Railway Board, New Delhi.
3. The State of Bihar, through the District Collector, East Champaran, Motihari.
4. The District Land Acquisition Officer, East Champaran, Motihari.
5. The Revenue Officer, Harsidhi, East Champaran.
6. The Circle Officer, Harsidhi, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Uday Bhan Singh, Adv. Ms. Kumari Shreya, Adv.
For the Respondent/s	:	Mr. Ramadhar Singh, GP-25
For the UOI	:	Mr. Deepak Kumar, Sr. CGC Mr. Arvind Kumar, CGC

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 20-04-2026 Heard Mr. Uday Bhan Singh, learned counsel for the

petitioner and Mr. Ramadhar Singh for the State and Mr. Deepak

Kumar for respondent nos. 1 and 2.

2. The present application has been preferred:

for issuance of direction or order or writ, particularly in the form of Mandamus and direct the respondents to set up an enquiry regarding irregularities on the part of respondent no. 5 & 6 in assessing the category of land of the petitioners bearing Khata No.



260, Khesra No. 2332, Thana No. 122, Mauza: Kanchhedwa, East Champaran, which was originally residential land but in the report, it is shown as an agricultural land and the authorities proposed to acquire the same land at the rate of agricultural land.

Further, a direction may be given to the respondent authority to dispose of the application dated 05.05.2022 submitted by the petitioner no.2 before the District Collector accordingly and pay the compensation to the petitioners according to the government rate with interest from the date of acquisition of land.

Further any other relief/reliefs as this Hon'ble Court may think fit and proper.

3. The matter relates to land bearing Khata No. 260, Khesra No. 2332, Thana No. 122, Mauza- Kanchhedwa, East Champaran and the same is to be taken up for the construction of railway track under the project Hajipur- Sugauli New Railway Track Construction.

4. The submission is that the application preferred by the aggrieved parties to consider the category as residential instead of agricultural has not been taken care of. He has taken this Court to an order passed earlier in the case of Vashishth Singh & ors. vs State of Bihar & ors. disposed of on 19.04.2024 in CWJC No. 971 of 2024 and submit that they be permitted to individually approach



the Collector so that a decision may come. It has been stated by the learned counsel for the petitioner that till date, no decision has been taken.

5. Earlier, the Co-ordinate Bench directed the respondents to file affidavit on 11.11.2025 but today on call, the plea is to adjourn the matter once again for filing affidavit.

6. This Court has two options: either to impose cost and alternatively is to allow the petitioners to approach individually before the Collector, East Champaran, Motihari for the redressal of the grievance.

7. In that background, following the order passed in Vashishth (supra) case, the writ petition is disposed of allowing all the petitioners to approach afresh before the respondent, Collector, East Champaran, Motihari individually so that he/she can take a decision in accordance with law. If the petitioner(s) individually makes representation in eight weeks, the Collector, East Champaran, Motihari to decide by the end of the year.

8. The writ petition is disposed of with aforesaid observation.

(Rajiv Roy, J)

Vijay Singh/-

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