

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20509 of 2025

1. Balkrishan Barnwal Son of Nand Kishore Baranwal, Resident of Village -Lalpur, Post Office Bhairoganj, Anchal Katoriya, Police Station - Bhairoganj, District - Banka.
2. Abhimanyu Singh @ Abhimanyu Prasad Singh, Son of Late Yashwant Singh, Resident of Village Katoria, Post Office Katoria, Police Station Katoria, Anchal - Katoria, District Banka.
3. Kumid Kumar Singh, Son of Arjun Sah, Resident of Village- Chhatakuram, Post Office- Katoria, Police Station Katoria, Anchal Katoria, District - Banka.
4. Raj Kumar Raj, Son of Devendra Prasad Burnwal, Resident of Village Katoria, Post Office Katoria, Police Station Katoria, Anchal Katoria, District Banka.
5. Saraswati Devi @ Saraswati Devi Barnwal, Wife of Radheshyam Barnwal, Resident of Village- Lalpur Post Office- Bhairoganj, Police Station- Bhairoganj, Anchal- Bhairoganj, District - Banka.
6. Md. Akbar Khan @ Md. Akbar, Son of Md. Alam, Resident of Room No. 385, Shastri Nagar, Ch. No. 3, Dr. Varaskar Marg, Bandra West, Mumbai, Maharashtra, PIN Code 400050.
7. Md. Numan, Son of Md. Salim, Resident of Village- Badi Dargah, Lehri Tungi, Nalanda, Post Office- Nalanda, Police Station- Nalanda, Anchal Nalanda, District- Biharsharif.
8. Surendra Singh, Son of Mahendra Singh, Resident of Village Sitane, Post Office Tonapathar, Police Station Katoria, Anchal Katoria, District - Banka.
9. Tripurari Barnwal, Son of Late Sukar Barnwal, Resident of Village - Suiya Road, Katoria, Post Office Katoria, Police Station Katoria, Anchal Katoria, District - Banka.
10. Ram Kumar Barnwal, Son of Basant Barnwal, Resident of Village Near Purandaha Bridge, Purandah, Post Office Deoghar, Police Station - Deoghar, Anchal - Deoghar, District Deoghar, State - Jharkhand.
11. Sita Devi, Wife of Shambhu Prasad Baranwal, Resident of Village Jatahi More, Ward No. 25, Post Office Deoghar, Police Station Deoghar, Anchal Deoghar, District Deoghar, State - Jharkhand.
12. Atulesh Kumar Bhagat @ Atulesh Bhagat, Son of Sita Ram Bhagat, Resident of Village Katoria, Post Office Katoria, Police Station Katoria, Anchal Katoria, District -Banka.
13. Sikandra Singh, Son of Late Binda Singh, Resident of Deoghar Road, Post Office Katoria, Police Station Katoria, Anchal Katoria, District - Banka.
14. Manoj Kumar Sah, Son of Raghunath Sah, Resident of Village Thana Road, Post Office Katoria, Police Station Katoria, Anchal Katoria, District - Banka.
15. Rudo Turi, Son of Late Tetu Turi, Resident of Village Katoria, Post Office - Katoria, Police Station Katoria, Anchal Katoria, District Banka.
16. Akhilanand Singh, Son of Yugal Sah, Resident of Village Katoria, Post Office



- Katoria, Police Station Katoria, Anchal - Katoria, District Banka.

17. Arjun Prasad Sah, Son of Shiveshwar Sah, Resident of Prakhand Colony, Village Katoria, Post Office Katoria, Police Station Katoria, Anchal Katoria, District - Banka.
18. Uttam Kumar Pandey, Son of Niwash Pandey, Resident of Village Katoria, Post Office Katoria, Police Station Katoria, Anchal - Katoria, District Banka.
19. Sanju Devi, Wife of Kamdeo Yadav, Resident of Village- Bhairoganj, Post Office- Katoria, Police Station- Katoria, Anchal- Katoria, District- Banka.
20. Sariya Devi, Wife of Ram Prasad Yadav, Resident of Village Salaiya, Post Office Simultalla, Police Station Chandan, Anchal Chandan, District - Banka.
21. Kamdeo Yadav, Son of Nand Kishore Yadav, Resident of Village Bhairoganj, Post Office Katoria, Police Station Chandan, Anchal Katoria, District - Banka.
22. Vikash Kumar Singh, Son of Mauleshwar Singh, Resident of Village Sitane Tola, Tonapathar, Post Office Katoria, Police Station - Katoria, Anchal Katoria, District- Banka.
23. Vibhash Singh, Son of Dasho Sah, Resident of Village- Tonapathar, Post Office- Katoria, Police Station- Katoria, Anchal- Katoria, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector -cum- District Magistrate, Banka.
2. The Collector -cum- District Magistrate, Banka.
3. The District Land Acquisition Officer, Banka.
4. The Sub Divisional Magistrate, Banka.
5. The Circle Officer, Katoria Anchal, District- Banka.
6. The Chief Engineer, Road Construction, National Highway of India, Highway No. 333, Near Barbigha connecting Sheikhpura- Sikandra- Jamui- Jhajha, Banka, Panjwara, Bihar, Jharkhand Border at NHAI Regional Office (New), 4 Patliputra Colony, Road Block- A, Patliputra Industrial Area, Patliputra Colony, Patna- Bihar- 800013.
7. The Superintending Engineer, Road Construction National Highway of India, Highway No. 333, Near Barbigha connecting Sheikhpura- Sikandra- Jamui- Jhajha, Banka, Panjwara, Bihar, Jharkhand Border at NHAI Regional Office (New), 4 Patliputra Colony, Road Block- A, Patliputra Industrial Area, Patliputra Colony, Patna- Bihar- 800013.
8. The Executing Engineer, Road Construction National Highway of India, Highway No. 333, Near Barbigha connecting Sheikhpura- Sikandra- Jamui- Jhajha, Banka, Panjwara, Bihar, Jharkhand Border at NHAI Regional Office (New), 4 Patliputra Colony, Road Block- A, Patliputra Industrial Area, Patliputra Colony, Patna- Bihar- 800013.

... .. Respondent/s

=====

Appearance :



For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate
For NHAI : Mr.Rajesh Kumar Shandilya, Advocate
Ms.Ankita Kumari, Advocate
For the Respondent/s : Government Pleader (04)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-01-2026 Heard learned counsels appearing on behalf of the
petitioners and the learned APP for the State.

2. At the very outset, learned counsel appearing on
behalf of the petitioners seeks to make correction in the cause
title of the writ petition in course of the day.

3. Permission accorded.

4. The petitioners in paragraph no. 1 of the present
writ petition has sought *inter alia* following relief(s), which is
reproduced hereinafter:-

“(i) Issuance of a writ in the nature of
mandamus or for any other appropriate writ(s),
order(s), direction(s) commanding the respondents to
act in accordance with law relating to the
construction of the National Highway No.333A
starting from its junction with NH333 near Barbiga
connecting Sheikhpur-Sikandra-Jamui, Jhajha-
Banka, Panjwara, Bihar/Jhakhand Border in the State
of Bihar to two/four lane with paved shoulder
configuration programme in Mauza-Katoria, Anchal-
Katoria, District-Banka in several khata and Khesra
of petitioners and other villagers has been mentioned
in schedule of Bye-pass (Anchak-Katoria) and
without Acquisition of the said land and without any
proper notice to the petitioners (except one Rama @
Rambha Devi mother of Abhimanyu Prasad Singh.
Petitioner has received notice) and also direct the
respondents to make payment of compensation
amount with interest for the admitted portion of the
above said land of the petitioners, which is



mentioned in schedule of By-pass Anchal-Katoria, petitioners have no knowledge regarding any Award has been made regarding the acquisition of land.

(ii) Any other relief/reliefs to which the petitioner is found entitled to.”

5. That the brief facts of the case are that the respondents have constructed National Highway No. 333A starting from its junction with National Highway No. 333 near Barbigha connecting Sheikhpura – Sikandra – Jamui, Jhajha – Banka – Panjwara up to the Bihar–Jharkhand Border in the State of Bihar, by converting the same into two/four lane with paved shoulder configurations, and in the course of the said construction the land situated at Mauza – Katoria, Anchal – Katoria, District – Banka, which stands recorded in the name of the petitioners and in the name of his/her ancestors, has been included, upon which on some portion of land the petitioners have constructed their pucca house and on some portion of land crops are growing till date, however the respondent authority, while preparing the bye-pass schedule list of National Highway No. 333A, has shown the land upon which crops are growing as parti land and on some land has not shown the existing house and has wrongly written the same as parti land, thereby adversely affecting the lawful rights and interests of the petitioners.



6. Learned counsel appearing on behalf of the petitioners submitted that in respect of the relief(s) as prayed for in the present writ petition, the petitioners have already filed a detailed representation before the District Land Acquisition Officer, Banka on 26.11.2025 but no action was taken by him and thereafter, the petitioners approached the District Magistrate-cum-Collector, Banka. The District Land Acquisition Officer, Banka is sitting tight over their application leading to filing of the present writ petition.

7. This Court without going into the merits of the case directs the District Magistrate, Banka to exercise his jurisdiction and see that why the District Land Acquisition Officer, Banka has not taken any action even though from the information contained in the writ petition it appears that the amount of compensation has already been notified and the petitioners have been deprived of the due amount of compensation in lieu of their land acquired for the purpose of National Highway 333A starting from its junction.

8. The District Magistrate, Banka, if finds that the petitioner is entitled for the relief(s) as prayed for in the present writ petition, must ensure to make payment of the amount of compensation well within a period of one month from the date



of communication of this order.

9. With the above observation/direction, the present writ petition stands disposed of.

10. It is made clear that the above order has been passed in presence of Ms. Ankita Kumari, learned counsel, who has tendered her appearance on behalf of NHAI.

(Purnendu Singh, J)

chn/-

U			
---	--	--	--

