

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1261 of 2025

1. Raj Nath Rai @ Raj Nath Ray Son of Late Rambalak Rai resident of Mohalla- Terihhat @ Tedhi Ghat, Ward no.- 65, Police Station- Khajekala, Post Office- Jhauganj, (Patna City), District Patna- 800008.
2. Prem Kumar @ Prem Rai @ Prem Ray, Son of Late Rambalak Rai, resident of Mohalla- Terihhat @ Tedhi Ghat, Ward no.- 65, Police Station- Khajekala, Post Office- Jhauganj, (Patna City), District Patna- 800008.
3. Shiv Nath Prasad Yadav @ Shiv Nath Rai, Son of Late Rambalak Rai resident of Mohalla- Terihhat @ Tedhi Ghat, Ward no.- 65, Police Station- Khajekala, Post Office- Jhauganj, (Patna City), District Patna- 800008.

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
3. The District Officer, Vaishali (Hajipur).
4. The Deputy Collector, Land Reforms, Vaishali, Hajipur.
5. The Sub Divisional Officer, Vaishali at Hajipur.
6. The District Officer, Patna.
7. The Sub Divisional Officer, Patna City, Patna.
8. The Circle Officer, Circle, Patna City, Patna.
9. The Halka Karamchari, Mauja, Sukumarpur, Circle Raghavpur, District Vaishali at Hajipur.
10. The Officer Incharge, Patna City Chowk, Police Station Patna City, Patna.
11. The Police Inspector, Anchal Patna city, Patna.
12. The Secretary General, Takht Shri Hermandir, Post Office Jhauganj, Police Station Patna City Chowk, Police Station Patna city, Patna.
13. The Land Acquisition Officer, Patna, Bihar.
14. The Bihar State Road Development Corporation, through Managing Director, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar Ojha, Advocate
For the State	:	Mr. Government Advocate (09)
For the Resp. No.14	:	Mr. P.K. Shahi, AG
	:	Mr. Manish Dhari Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY



ORAL ORDER

5 30-03-2026 Heard Mr. Ajit Kumar Ojha, learned counsel for the petitioners and learned counsel representing the State as also learned counsel for the Bihar State Road Development Corporation.

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

“(i) for a direction to the respondent authorities to pay the compensation amount admissible to the petitioners pertaining to the Raiyati land belonging to the petitioners which has been acquired by the Bihar State Road Development Corporation, government of Bihar:

(ii) for any other relief/reliefs to which the petitioner is found entitled to in facts and circumstances of the case.”

3. The matter relates to a piece of land Khata No. 231, Khesra No. 844 (area 0.42 decimal) under Khajekala Police Station under Circle-Patna Sadar, Patna. Land Acquisition Case No. 13 of 2023-24 was initiated in the matter and the claim of the petitioners is that though they took over the land and made construction, the compensation amount was not paid.



4. A counter affidavit has come on behalf of the District Land Acquisition Officer, Patna and learned State counsel has taken this Court to paragraph no.8 to show that a Title Suit No.45 of 1998 is pending before the competent Civil Court, Patna City, Patna where while the Ramanuj Rai and Ors. are plaintiffs, these petitioners are defendants. The submission is that said Title Suit is still pending.

5. Learned State counsel representing the respondent no.14 has pointed out that though admitted fact is that Ramanuj Rai and Ors. are plaintiffs with regard to the said Title Suit No.45 of 1998, surprisingly, they have not been impleaded as party respondents and in that background, no relief can be extended to the petitioners.

6. Learned counsel for the petitioners has filed rejoinder petition and has taken this Court to the plaint filed by him to show that the aforesaid Khesra No. 844 do not disclose the area.

7. This Court has taken note of the submissions put forward by the parties. Since there is a title dispute regarding the land in question, Ramanuj Rai/those who have inherited land have not even been made party respondent, in that background, only point that can be considered that since the Title Suit is



pending from the year 1998, it is high time that it is concluded in the 28th year itself inasmuch as this Court requests the concerned Court to expedite/conclude the Title Suit No. 45 of 1998 latest by 31st December, 2026.

8. Needles to add, if the result of the said Title Suit will decide the fate of the compensation to be extended to the actual owner of the land.

9. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

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