

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.808 of 2026

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1. Dilip Kumar Mahto S/o Gauri Shankar Mahto, Resident of Pandaul Bazar, P.O. and P.S. Pandaul, District- Madhubani.
 2. Amrendra Kumar, S/o Jawahar Lal Mahto, Resident of Pandaul Bazar, P.O. and P.S. Pandaul, District- Madhubani.
 3. Vikram Kumar Singh, Son Jai Prakash Bhuvan, Resident of Village-Sagarpur, P.S. Sakari, District- Madhubani.
 4. Kunal Kumar Singh, Son Jai Prakash Bhuvan, Resident of Village-Sagarpur, P.S. Sakari, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary/Additional Chief Secretary, Department of Land Reforms and Revenue.
2. The Principal Secretary/ Additional Chief Secretary, Department of Land Reforms and Revenue, Government of Bihar, Secretariat, Patna.
3. The Collector, Madhubani District, Madhubani.
4. The District Land Acquisition Officer, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Koshalendra Rai, Adv. Mr. Nagendra Rai, Adv.
For the Respondent/s	:	Mr. Kumar Pankaj, AC to SC 5

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-01-2026 Heard Mr. Nagendra Rai, learned counsel for the

petitioner and Mr. Kumar Pankaj representing the State.

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

*I. Commanding the respondents
and particularly respondent numbers 3 & 4
to refer the objection / petition of the
petitioners dated 8/11/2021 u/s 64 of the
Land Acquisition Act, 2013 (Annexure P-7)*



to the concerned LARA and command the concerned LARA to decide the same within fixed time frame as prescribed by this Hon'ble Court;

II. Commanding the respondents and particularly respondent numbers 3 and 4 to pay the compensation at commercial rate of plot no. 5344 , area 2 kattha 10 dhurs of land in village Dahibhat Madhopur, Thana no. 127, Anchal Pandaul, District-Madhubani as may be determined by the authority after completing all legal formalities /requirements within period stipulated by this Court and

III. Grant any other relief deemed fit and proper

3. The claim of the petitioner is that following Section 64 of the Land Acquisition, Rehabilitation and Resettlement Act, 2013, he preferred two petitions before the Collector, Madhubani, firstly, in the year 2021 and later, in the year 2025 but the same has not been referred before the Land Acquisition, Rehabilitation and Resettlement Act (henceforth for short 'the LAARA'). Section 64 of the 2013 Act read as follows:

64. Reference to Authority.-(1)

Any person interested who has not accepted the award may, by written application to the



Collector, require that the matter be referred by the Collector for the determination of the Authority, as the case may be, whether his objection be to the measurement of the land, the amount of the compensation, the person to whom it is payable, the rights of Rehabilitation and Resettlement under Chapters V and VI or the apportionment of the compensation among the persons interested:

Provided that the Collector shall, within a period of thirty days from the date of receipt of application, make a reference to the appropriate Authority:

Provided further that where the Collector fails to make such reference within the period so specified, the applicant may apply to the Authority, as the case may be, requesting it to direct the Collector to make the reference to it within a period of thirty days.

(2) The application shall state the grounds on which objection to the award is taken:

Provided that every such application shall be made-

(a) if the person making it was present or represented before the Collector at the time when he made his award, within six weeks from the date of the Collector's



award:

(b) in other cases, within six weeks of the receipt of the notice from the Collector under Section 21, or within six months from the date of the Collector's award whichever period shall first expire:

Provided further that the Collector may entertain an application after the expiry of the said period, within a further period of one year, if he is satisfied that there was sufficient cause for not filing it within the period specified in the first proviso.

4. Learned State Counsel submits that if the Collector fails, the petitioner ought to have moved before 'the LAARA' himself.

5. If the contention of the petitioner that twice he represented the Collector, Madhubani but he failed to refer it to 'the LAARA' is correct, it is an unfortunate situation. Section 64 clearly authorizes the Collector to send the petitions preferred before it before the office to LAARA in thirty days.

6. Though the Act further records that failure to do so, the litigant should move before 'the LAARA' himself/herself, that cannot absolve the Collector of keeping the files in the office.

7. Lots of water has flown down the Ganges, it would



be appropriate that the petitioner straightaway move before ‘the LAARA’ in next four weeks.

8. If such petition is preferred, the concerned authority shall look into the matter that twice the petitioner preferred petition but the Collector, Madhubani failed to refer it to it while dealing with any limitation in the present case.

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

(Rajiv Roy, J)

Vijay Singh/-

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