IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.2904 of 2026

Lakshmi Pal aged about 50 years, S/o- Late Dalinath Pal, R/o-Village-Dohari, Sundi, Kharaundi, and P.O. & P.S. Kharaundi, District- Garhwa, and Jharkhand. ….. Petitioner

Versus

1. The State of Jharkhand through Secretary, Department of Revenue and Land Reforms, Government of Jharkhand, having its office at Project Bhawan, P.O. & P.S. Dhurwa, District-Ranchi, Jharkhand.
2. Deputy Commissioner, Garhwa, having its office at Collectorate Building, P.O. & P.S. Garhwa, District-Garhwa, Jharkhand.
3. Additional Collector, Garhwa, having its office at Collectorate Building, P.O. & P.S. Garhwa, District-Garhwa, Jharkhand.
4. Land Acquisition Officer, Garhwa, having its office at Collectorate Building, P.O. & P.S. Garhwa, District-Garhwa, Jharkhand.
5. Sub-Divisional Officer (SDO), Bansidhar Nagar, Nagar Untari has its office located in Nagar Untari, P.O. & P.S. Shri Bansidhar Nagar, District Garhwa, Jharkhand,
6. Block Development Officer, Kharaundhi, has its office located in Kharaundhi, P.O. & P.S. Kharaundhi, District Garhwa, Jharkhand,
7. The Officer-in-Charge, Kharaundhi Police Station, P.O. & P.S.-Kharaundhi, District-Garhwa.
8. Rajendra Prasad Gupta, the then Mukhiya, R/o- Village-Sundi, Tola Dohri, P.O. & P.S.-Kharaundi, District- Garhwa, Jharkhand. … Respondent(s)

CORAM: SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Amit Kumar Chaturvedi, Advocate
For the Respondent(s) : Mr. Faisal Allam, AC to SC Mines-III

3/27.04.2026 Heard learned counsel appearing for the petitioner and learned counsel appearing for the Respondents.

2. In this writ petition, the petitioner prays for quashing and setting aside the action of the Respondents in undertaking and continuing road construction work under the Pradhan Mantri Gram Sadak Yojana over the Petitioner's recorded Raiyati lands without initiating any lawful acquisition proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, without issuance of any notification, without passing of any award, and without payment of compensation.

3. The petitioner further prays for direction upon the Respondents to initiate and undertake lawful land acquisition proceedings in respect of the

Petitioner's recorded Raiyati lands strictly in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and to determine, award and disburse fair compensation to the Petitioner along with all statutory benefits, including solatium, interest, rehabilitation and resettlement benefits, and any other admissible entitlements under law, within a time-bound period as may be fixed by this Hon'ble Court.

4. The petitioner further prays for direction upon the Respondent authorities to institute an independent, impartial and time-bound inquiry by a senior officer not below the rank of Superintendent of Police or by any other independent agency into the illegal, arbitrary and high-handed actions of the Officer-in-Charge, Kharaundhi Police Station and other police personnel involved in assaulting, intimidating and falsely implicating the Petitioner in connection with Kharaundhi P.S. Case No. to 57/2025, and take appropriate departmental as well as criminal action against the erring officials found guilty of abuse of authority, misuse of power and violation of the Petitioner' fundamental and constitutional rights.

5. The grievance of the petitioner is that without initiating any process for acquisition and without paying any compensation, the raiyati land of the petitioner has been utilized by the respondents in construction of the road.

6. Considering the submission of the petitioner, since the road has already been constructed, I am not inclined to interfere with the said construction, but the Respondent Deputy Commissioner, Garhwa will take appropriate action to ensure that if the petitioner is the raiyat, whose land has been utilized for construction of the road, he has to paid compensation for the land so utilized as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act,

2013 at the earliest by following the due process of law.

7. It would be expected that the respondents should initiate the aforesaid process within a period of six weeks after receipt of a copy of this Order.

8. With the aforesaid observation, this writ petition is disposed of.

(ANANDA SEN, J.)

27.04.2026
R.Kumar
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