



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21115 of 2018

Mithilesh Gohiwar Son of Late Rajdeo Golhiwar Resident of Village-Usrahi
P.S. Deodha, Distt.-Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate cum Collector, Madhubani
3. Additional Collector cum Arbitrator, Madhubani
4. The Competent Authority cum Land Acquisition Officer, Madhubani

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Respondent/s : Mr. Sajid Salim Khan -Sc25

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-10-2025 Heard the parties.

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

I) Certiorari:-For Setting of aside of order dated 28.06.2018 passed by Arbitrator Cum Additional Collector, Madhubani (Land Acquisition) in Case No. 78/2016-2017.

II) be An appropriate direction be issued declaring the lands appertaining to Khata No. 2389 Khesra No. 10567, Thana No. 14 situated at Mauza Usrahi Deodha Area 0.08 decimals is Commercial Land which has been acquired in Land Acquisition Case No. 04/2014-2015.

III) An appropriate direction be





issued directing the Respondents to pay compensation for acquisition of 0.08 decimals land through Case No. 4/2014-15 appertaining to Khata No. 2389 Khesra No. 10567, situated in Mauza Usrahi Deodha at the commercial rate along with cost of the building standing thereon with interest thereon.

IV) Any other appropriate writ or direction, may be issued which may be applicable in the facts and circumstances of the case.

3. The land of the petitioner was taken for the development of widening of National Highway Authority of India in the district of Madhubani, the claim is that treating the land to be agriculture, an offer of payment was made.

4. Learned State counsel submits that if the petitioner has any grievance, the remedy lies under Section 34 of the Arbitration and Conciliation Act, 1996, before the competent Civil Court

5. Learned counsel for the petitioner submits that he shall be approaching the concerned Court but there has been delay as he was agitating the matter before Patna High Court.

6. The grievance seems to be valid, if such a petition is preferred in next eight weeks by the petitioner, the concerned





Court shall take up the limitation petition and dispose it of taking into account the fact that since the year 2018, the writ petition was pending before this Court.

7. With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

Raj Ranjan/-

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