



**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3254 of 2026**

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Girgit Mallah @ Bhirgun Sahani @ Girgit Sahani Son of Ram Asre Sahani,  
Resident of Village- Karpakwa, Police Station- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector, Gopalganj.
3. The Additional Collector, Gopalganj.
4. The Secretary, Department of Industry, Government of Bihar, Patna.
5. The Managing Director, Bihar Industrial Area Development Authority (BIADA), Bihar, Patna.
6. The Executive Director, Bihar Industrial Area Development Authority (BIADA), Bihar, Patna.
7. The Managing Director, Bihar State Sugar Mill Corporation, Patna.

... .. Respondent/s

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**Appearance :**

|                      |   |                                                          |
|----------------------|---|----------------------------------------------------------|
| For the Petitioner/s | : | Mr. Ajay Mishra, Advocate                                |
| For the State        | : | SC-18                                                    |
| For the BIADA        | : | Mr. Gyan Shankar, Advocate<br>Mr. Mukesh Kumar, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      23-04-2026      Heard the parties.

2. The present petition has been filed, *inter alia*, for the grant of following relief(s):

*" I) Release of the lands of the petitioner from the Bihar Industrial Area Development Authority (hereinafter referred to in short as BIADA), as the lands in question belonging to the petitioner were never acquired by the State of BIADA/Concerned Respondents in terms of Section 4A and 9 of the BIADA Act, 1974 and have illegally been transferred in favour of the BIADA by a mere notification without giving proper notice (without*





*details of the controversy) to the petitioner and without considering his contentions on the point of law and facts and as also without following the provisions of Right to Fair Compensation And Transparency of Land Acquisition, Rehabilitation, Resettlement Act 2013 and for commanding the Respondents to pay the compensation in accordance with the law, if lands of the petitioner is required by the State.*

*(II) Setting aside all the consequential proceedings/order(s) to the extent to which it declares the petitioner's land in Anchal- Hathua, Mauza-Badarjimi Khata No. 146, Khesra No. 310 Jamabandi no. 109 area- 17 decimals, respectively to be incorporated in the land of BIADA as Industrial Area i.e. land of S.K.G Distillery along with 105.29 acres of land without service of proper notice.*

*(III) holding and declaring that the concerned respondents were not authorized under any Act to transfer the raiyati lands of the present petitioner in favour of the BIADA, especially without initiating any proceedings for transfer in favour of BIADA.*

*(IV) restraining the respondent authorities from evicting the petitioner from his raiyati lands in question, as the petitioner has been in complete possession of the same, but the concerned Respondents are making physical changes to the property by carrying out construction work over the said property.*

*(V) granting any other relief/reliefs for which the petitioner may be found entitled in the facts and circumstances of the case."*

3. Mr. Ajay Mishra, learned counsel for the petitioner, submits that the issue raised in the instant writ application is





identical in nature to that involved in CWJC No. 3347 of 2026. It is further argued that the present writ petition may also be disposed of in terms of the order passed by a Co-ordinate Bench of this Court in **CWJC No. 3347 of 2026 (Lal Bahadur Chaudhary & Ors. vs. The State of Bihar & Ors.)**. It is further submitted that the Co-ordinate Bench, while disposing of the aforesaid case on 16.3.2026, observed as under:

*"4. This Court has gone through the prayer of the **Basdeo Chaudhary** (supra) and is of the opinion that the submission put forward by the learned counsel for 'the BIADA' is correct. In that background, following the order passed in the aforesaid case, the same order is being passed in the present case.*

*5. Let the petitioner appear before the District Magistrate-Cum-Collector, Gopalganj in next eight weeks and if he prefers petition, the same shall be taken up/ relevant parties be noticed and the matter has to be taken to its logical conclusion at an earliest.*

*6. Needless to add, if the petitioner is entitled to the compensation, the process has to be taken in accordance with law for payment.*

*7. Any development that takes place in between shall be subject to the final outcome of the present writ petition."*

4. It is submitted that the petitioner may be permitted to approach the Collector, Gopalganj (respondent no. 2) for redressal of his grievance, so that the matter may be brought to its logical conclusion and, if found entitled, he may be extended





the benefit of compensation in accordance with law.

5. Learned counsel appearing for the State fairly concedes that the issue involved herein is identical to the one decided in ***Lal Bahadur Chaudhary*** (*supra*).

6. Having regard to the aforesaid, the writ petition is disposed of on the same terms and conditions set out in paragraphs 4 to 7 of the order rendered in ***Lal Bahadur Chaudhary*** (*supra*).

7. The writ petition is, accordingly, disposed of.

(Khatim Reza, J)

shyambihari/-

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