



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13710 of 2026

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1. Kali Charan Kanth Son of Late Sri Krishna Kanth Resident of Ward no, 14, village -Banmankhi, Mohallah- Raj Hata, P.S- Banmankhi, Distt.- Purnea (Bihar)
 2. Ganga Prasad Mahto Son of Late Buchai Mahto Resident of village - Nipania (Santhal Tola) P.S- Sarsi, Distt.- Purnea (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Department of Land Acquisition and Rehabilitation, Bihar, Irrigation Bhawan, Patna.
2. The Principal Secretary, Water Resources Department, Bihar, Irrigation Bhawan, Patna.
3. The Chief Engineer, Flood Control and Water Resources Division, Kosi Project, Purnea
4. The Superintending Engineer, Flood Control and Water Resources Division, Kosi Project, Purnea
5. The Executive Engineer, Flood Control and Water Resources Division, Kosi Project, Purnea
6. The Collector of the District (DM), Purnea.
7. The Special Land Acquisition Officer, Kosi Project, Saharsa
8. The District Land Acquisition Officer, (DLAO), Purnea

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shambhu Shankar Singh, Advocate
For the Respondent/s : Mr. Vivekanand Singh, AC to GP-18

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-09-2026 Heard the parties.

2. The present petition has been preferred for the
following relief/s:

*(i) directing the Respondent-
authorities to pay the amount of
compensation with statutory interests to the*





petitioners with respect to the trees, Bamboo, Boring etc. which were standing on the acquired lands which had already been utilized by the respondents-authorities, but no payment has made to the petitioners till date with respect to said trees, Bamboo, Boring etc.

(ii) directing the respondents-authorities to prepare a separate Award with respect to valuable trees, Bamboo, Boring etc. which were standing on the acquired lands and to pay the amount of compensation with statutory interests to the petitioners as per the direction, already issued by the higher authorities.

(iii) directing the respondents-authorities to pay the amount of compensation in terms of the calculation/estimate, made by the authorities themselves vide Annx- P/4 series hereto with respect to said trees, Bamboo, Boring etc.

(iv) directing the respondents-





authorities to pay the amount of solatium/other statutory interests to the petitioners from the date of acquisition/dispossession from the their respective lands.

(v) directing the respondents-authorities to pay the amount of compensation to each of the petitioner with respect to trees, Bamboo, Boring etc. standing on the lands in question, as per the Right to Fair compensation and Transparency in Acquisition, Rehabilitation and Resettlement Act, 2013 (herein after referred to as the RFCTLARR Act 2013).

(vi) directing the respondents-authorities to meet all irreparable losses/grievances which have caused to the petitioners, due to the denial of compensation to them especially after about 37 years of acquisition/ dispossession, as the acquisition of the lands in question took place in the year 1988-89 itself.





(vii) holding and declaring that the respondents- authorities have no jurisdiction to withhold the payment, after specific direction by the higher authorities and after preparation of calculation chart (Annx- P/4 series) in favour of the petitioners.

(viii) granting any other relief/reliefs for which the petitioner may be found entitled to.

3. After some argument, learned counsel for the petitioners submit that he shall be preferring a fresh petition before the respondent no. 5, the Executive Engineer, Flood Control and Water Resources Division, Kosi Project, Purnea so that he can comply the different orders of the State Government including the memo no. 1430 dated 26.07.2016.

4. Learned State Counsel has no objection.

5. In that background, CWJC No. 13710 of 2026 stands disposed of allowing the petitioner to approach the Executive Engineer, Flood Control and Water Resources Division, Kosi Project, Purnea (respondent no. 5) within four weeks who shall be duty bound to take up the matter to its





logical conclusion, after hearing all the necessary parties,
preferably within six months.

6. Needless to add, if the petitioners are entitled to the
payment, the same has to be cleared as the case is an old one
and failure to act, the respondents will have to face the music.

(Rajiv Roy, J)

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