

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10512 of 2026

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Ramanand Singh Son of Late Ram Pratap Singh, Resident of Village- Bhusra,
P.S- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar.
2. The District Magistrate, Muzaffarpur.
3. The District Land Acquisition Officer, Muzaffarpur.
4. The Project Director, National Highway Authority of India, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nachiketa Jha, Advocate Mr. Ankur Agraj, Advocate
For the Respondent/s	:	Mr. Government Pleader (19)
For the NHAI	:	Dr. Maurya Vijay Chandra, Advocate Ms. Preety Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL JUDGMENT

Date : 28-07-2026

Heard Mr. Ankur Agraj, learned counsel for the
petitioner, the State as also the National Highway Authority
of India (for brevity, ‘the NHAI’).

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

*“(i) For issuance of an order or
orders, direction/directions, writ, including writ
in the nature of Mandamus, directing the
Respondents concern to denote the rest of the
land of the petitioner after acquisition of the*



land bearing Khata No:-163, Khesra No:-583 & 585, area 12 Decimal. situated at village Hasna Gadi, P. S. No:-141, under Gaighar Anchal, and Khata No:-544, Khesra No:-953, area 9 Decimal, situated at village:-Bhusara, P.S.:-140, under Gaighat Anchal under Muzaffarpur District of the petitioner for construction of the National Highway No:-527 "C" (Majhouli- Choraut, S.H.)

(ii) For issuance of an order or orders, direction/directions, writ, including writ in the nature of mandamus directing the respondents concern not to demolish the construction over the land after acquisition of the above mentioned land of the petitioner before denoting the land of the petitioner, for construction of the N. H. 527.

(iii) For any other relief or reliefs to which the petitioner may be found entitled in the facts and circumstances of the case.

3. The details of the land is recorded as under:



*“Khata No. 544;
Khesra No. 953;
Area 9 decimal;
situated at village Hasna; and
Khata No. 163;
Khesra No. 583 & 585;
Area 12 Decimal;
situated at village Bhusra under P.S. No.
140 & 141 respectively under Gaighat Anchal at
Muzaffarpur District.”*

4. Learned counsel for the petitioner submits that for the construction of **N.H.-527 “C” (Majhauri-Choraut, S.H.)**, the land of the petitioner and others were acquired. This followed the construction, and later, the petitioner also made construction on the unacquired part.

5. The submission is that the petitioner has recently received the notice from ‘the NHAI’ through its authorized officer at Muzaffarpur and he has taken this Court to the Annexure-P/5 to show that the negligence can be seen from the act of ‘the NHAI’ inasmuch as a blank



notice has been sent which do not even incorporate the letter number, the date, the place as also the area for which notice has been issued.

6. The vague notice issued by 'the NHAI' stands incorporated below:

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय)
परियोजना कार्यान्वयन ईकाई—मुजफ्फरपुर
National Highways Authority of India
(Ministry of Road Transport and Highways)
Project Implementation Unit Muzaffarpur

दूरभाष/फैक्स: 0621-2251933-934
पावापुरी विहार (द्वितीय तल)
भगवानपुर, मुजफ्फरपुर-842001
Pawapuri Vihar (2nd Floor)
Bhagwanpur, Muzaffarpur-842001
e-mail: muz@nhai.org
plumuzaffarpur@gmail.com

क्रमांक सं०—

भा०रा०रा०प्रा०/मुजफ्फरपुर/नोटिश/एनएच—...../

दिनांक —...../...../.....

(नियम 11 देखें)

अप्राधिकृत कब्जे को हटाने के लिए सूचना

राष्ट्रीय राजमार्ग नियंत्रण (भूमि और यातायात) अधिनियम, 2002 की धारा 26 की

उपधारा

(2) के अधीन

मुझे प्राप्त सूचना के आधार पर मेरे द्वारा राष्ट्रीय राजमार्ग भूमि का आवधिक रूप से निरीक्षण किए जाने पर मेरा यह समाधान हो गया है कि राष्ट्रीय राजमार्ग—..... (पुराना रा.रा.—....) (..... खण्ड) के कि०मी० से कि०मी० (.....) के बीच स्थित राजमार्ग पर अप्राधिकृत कब्जा हुआ है और ऐसा अप्राधिकृत कब्जा आपके द्वारा किया गया है। ऐसे अप्राधिकृत कब्जे के लिए आप उत्तरदायी हैं।

अतः आपको को सूचित एवं अपेक्षा की जाती है कि आप इस सूचना के आपको तामील किए जाने की तारीख से सात दिनों के भीतर ऐसा अप्राधिकृत कब्जा हटा लें। आप, इस सूचना के आपको तामील किए जाने की तारीख से एक सप्ताह के भीतर परियोजना निदेशक, भारतीय राष्ट्रीय राजमार्ग प्राधिकरण, पावापुरी विहार, द्वितीय तल, भगवानपुर, मुजफ्फरपुर को अम्यावेदन कर सकते हैं और ऐसे अम्यावेदन पर, यदि किया जाता है तो दिनांक / / को कार्यालय पर सुनवाई की जाएगी और इस सूचना को ध्यान में रखे कि इस सूचना के अनुपालन में असफल रहने पर आप राष्ट्रीय राजमार्ग नियंत्रण (भूमि और यातायात) अधिनियम, 2002 की धारा 26 की उपधारा (2) के अधीन शास्ति अधिरोपित किए जाने और उपरिवर्णित राजमार्ग भूमि से समरी निष्कासन के लिए दायी होंगे।

मेरे हस्ताक्षर और मुद्रा के अधीन, तारीख / / को जारी।

ASHUTOS Digitally signed by
H SINHA ASHUTOSH SINHA
Date: 2026.06.18



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राजमार्ग प्रशासन/
प्राधिकृत अधिकारी का हस्ताक्षर

प्रतिलिपि:— 1. जिला पदाधिकारी, को सूचनार्थ समर्पित।
2. पुलिस अधीक्षक, को सूचनार्थ समर्पित।
3. अनुमण्डल पदाधिकारी, को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

7. Learned State counsel as also learned counsel representing 'the NHAI' acknowledge that this cannot be treated as a proper notice.

8. Having heard the parties, this Court is surprised to see that an important authority of the Government of India issued notice in such an irresponsible way. A bare look on the notice would reflect that it has been sent by the Clerks sitting in the office inasmuch as no date, number, details of the land is/are available. In fact, not a single column is filled save and except the digital signature of the officer.

9. The said unnumbered/undated notice issued by 'the NHAI' is thus quashed.

10. 'The NHAI' will have the option to see to it that a proper notice is issued to the parties whereafter the petitioner, the State-respondents as also 'the NHAI' shall jointly fix a date when the unacquired land of the petitioner be demarcated.



11. The mental agony the petitioner had to face needs to be compensated. Accordingly, a cost of Rs. 5,000/- is imposed against ‘the NHAI’ which shall be paid to the petitioner in the next four weeks. ‘The NHAI’ is free to realize the amount from the erring official after fixing responsibility in accordance with law.

12. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

Adnan/-

AFR/NAFR	AFR
CAV DATE	N/A
Uploading Date	29.07.2026
Transmission Date	N/A

