

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13608 of 2016

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Naina Devi wife of Devendra Rai Resident of Village - Amer, P.S. - Bidupur, P.O. Nawanagar, District - Vaishali.

.... Petitioner

Versus

1. The State of Bihar.
2. The Collector, Vaishali at Hajipur.
3. District Land Acquisition Officer, Vaishali at Hajipur.
4. Anchal Adhikari, Bidupur Anchal District - Vaishali.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Adv.
Mr. Natraj Verma, Adv.
For the State : Mr. Md. Naseem Mukhtar, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 03-05-2017 This matter has been listed out of turn on the basis of mentioning slip filed on behalf of the petitioner.

Heard the parties.

The grievance of the petitioner is that some portion of her land belonging to plot no. 596, khata no. 81 of Village-Amer under Bidupur Anchal, District Vaishali was acquired but the respondents encroached excess area of aforesaid land and they have not made payment of acquired land as well as encroached land. The petitioner claims that she filed her objection before the Collector, Vaishali at Hajipur through Misc. Case No. 128/ 2014-15 but her objection is still pending before the Collector, Vaishali at Hajipur and no order has been passed on the aforesaid



objection.

It would appear from perusal of the record that earlier petitioner challenged the acquisition proceeding by filing CWJC No. 15766 of 2010 which was disposed of with direction to the Collector to pass an order on the objection filed by the petitioner against the acquisition proceeding and thereafter, the Collector rejected the objection of the petitioner against which petitioner filed CWJC No. 19302 of 2011 but the same was dismissed on 22.11.2011. However, the petitioner filed L.P.A. No. 342 of 2012 which was, too, dismissed on 07.01.2014 but a liberty was granted to the petitioner to raise her grievance in respect of compensation amount and thereafter, petitioner filed Misc. Case No. 128/ 2014-15 before the Collector, Vaishali at Hajipur raising her grievances in respect of compensation as well as so-called encroachment.

Learned counsel appearing for the petitioner submits that this petition may be disposed of giving direction to the Collector, Vaishali at Hajipur to pass appropriate order on the petition of petitioner filed in Misc. Case No. 128/ 2014-15 within a prescribed period of time.

In view of the aforesaid submission, this writ petition stands disposed of giving direction to respondent no. 2 (the Collector, Vaishali at Hajipur) to pass appropriate order in



accordance with law on the petition filed by the petitioner and
dispose of Misc. Case No. 128/ 2014-15 within three months from
the date of receipt/production of copy of this order.

(Hemant Kumar Srivastava, J)

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