

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13564 of 2017

Most. Munga Srivastava Wife of Late Prahalad Prasad, Resident of Mohalla-
Azad Nagar, Ward No. 20, Old Ward No. 6, P.O. P.S. District- Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Revenue and Land Reforms,
Bihar, Patna
2. The Director, Department of Revenue and Land Reforms, Bihar, Patna.
3. The Commissioner, Koshi Division, Saharsa.
4. The Collector, Madhepura.
5. The Deputy Collector, Land Reforms, Madhepura.
6. The District Land Acquisition Officer, Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shailendra Kumar Singh
For the State	:	Mr.Raj Kishore Ray – Gp18
		Mr. Mukul Prasad, AC to GP 18

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 27-06-2019 Heard.

This writ application has been filed, seeking a direction to the respondent-State of Bihar to release the land, which was acquired by the State Government in 1960 under the Land Acquisition Act for development of Abhyas Middle School, Madhepura, which has remained unutilized. The description of the land has been given in paragraph 4 of the writ application.

This is not in dispute that the amount of compensation was paid to the petitioner's husband, consequent upon the



acquisition of the land.

The petitioner is relying on a policy decision of the State Government, as contained in letter no.123 dated 12.01.1979, whereby the Government has resolved to return back the lands, which are lying unutilized, to the original landowners.

It has been stated in the counter affidavit filed on 25.06.2019 that the Department of Revenue and Land Reforms has issued a letter dated 21.06.2019 to the Principal Secretary, Education Department, Govt. of Bihar, Patna, directing his attention to the present writ application and further bringing to his knowledge the policy decision, contained in the said letter dated 12.01.1979, in the light of which the Principal Secretary, Education Department has been requested to take appropriate steps for making the land, in question, free from acquisition. The said letter dated 21.06.2019 has been brought on record by way of Annexure-B to the said counter affidavit. It has been stated that once the answering respondent receives response from the Department of Education, necessary steps shall be taken by the Department of Revenue and Land Reforms on the petitioner's plea for release of the land acquired in her favour.

In view of the counter affidavit filed on behalf of



respondent no.1, as noted above, this writ application is disposed of with a direction that let a final decision be taken by the Department of Education and Department of Revenue and Land Reforms, within a maximum period of three months from today.

(Chakradhari Sharan Singh, J)

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