

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12286 of 2019**

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Jay Manti Devi W/o Babulal Chauhan Resident of Vill.- Sarai Beldari, P.S.-  
Sitamarhi, Distt.- Nawada

... .. Petitioner

Versus

1. The State of Bihar through the Collector, Nawada
2. The Deputy Land Reforms Collector Nawada
3. Circle Officer Hisua, Nawada
4. District Land Acquisition Officer Nawada
5. The Chief Secretary Govt. of Bihar, Patna
6. Principal Secretary Land Department, Govt. of Bihar

... .. Respondents

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**Appearance :**

|                      |   |                                    |
|----------------------|---|------------------------------------|
| For the Petitioner   | : | Mr. Gauri Shankar Prasad           |
| For the Respondent/s | : | Mr. Sajid Salim Khan (Sc25)        |
|                      |   | Ms. Prakritita Sharma, AC to SC-25 |

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      12-07-2019                      The petitioner is seeking a direction to the respondents to issue land possession certificate in accordance with the provisions of the Bihar Land Mutation Act and in the light of judgment and decree, dated 05.06.2018, passed in Title Suit No. 166 of 2017 by learned Sub-Judge-VII, Nawada, in respect of the land in question.

No provision has been brought to my notice, either under the Land Mutation Act or the Rules, which mandates the State respondents to issue land possession certificate. The judgment and decree of Sub-Judge-VII in Title Suit No. 166 of 2017 is the basis for the petitioner's claim to her title over the



land in question.

It transpires from paragraphs 10 and 11 of the writ petition that the petitioner is apprehensive of the land in question being acquired under the provisions of the National Highway Act without making her payment of compensation in the absence of land possession certificate.

The petitioner shall be at liberty to apply before the Public Grievance Redressal Officer, if according to her, despite existence of materials and documents in her favour to establish her claim for compensation, the same are not being issued. If such application is made within one month from today, the same must be disposed of within a reasonable time, preferably within three months from making of such application.

This is to be noted that the judgment in the title suit has been delivered on 05.06.2018. There is no clue whether the defendant State of Bihar has preferred any appeal against the said judgment and decree or not. It goes without saying that State respondents may consider desirability of preferring appeal in the meanwhile.

This writ application stands disposed of.

**(Chakradhari Sharan Singh, J)**

Pawan/-

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