

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20597 of 2019

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Ruma Devi, Aged about 79 years, Female, Wife of Hardeo Prasad Singh,
Residents of Village- Babu Chakla, P.S. Gogri, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Collector, Khagaria.
3. The Additional Collector, Khagaria.
4. The Sub -Divisional Officer, Gogri, Distt. Khagaria.
5. The Deputy Collector Land Reforms, Gogri, District- Khagaria.
6. Circle Officer, Gogri District- Khagaria.
7. District Land Acquisition Officer, Khagaria.
8. The Bihar Rajya Pool Nirman Nigam Limited, through its Managing Director, Patna.
9. The Managing Director, Bihar Rajya Pool Nirman Nigam Limited, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dronacharya
For the Respondent/s : Mr.Sajid Salim Khan (Sc25)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-10-2019 Heard both sides.

The petitioner filed this writ petition for direction to the Collector or the land acquisition authority either not to interfere into the peaceful possession of the land of the petitioner of Plot No.673, situated in village Babu Chakla, P.S. Gogri, District Khagaria or to pay adequate compensation to the petitioner for acquisition of her land for construction of bridge over the river Ganges and the approach road.

Learned counsel for the petitioner submits that a



notification under Section 19(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter for the sake of brevity referred to as 'the Land Acquisition Act, 2013') was issued and the land of the petitioner is shown at serial no.61. In 7th column in place of name of the owner of the land holder, the nature of the land is shown as road. The petitioner filed petition before the Additional Collector, Khagaria (Annexure-4) but no action has been taken as yet. From bare perusal of Section 19 of the Land Acquisition Act, 2013, it appears that after issuance of notification under Section 19(1), the aggrieved party may file objection before the Collector or before the Land Acquisition Authority but no such petition is filed either before the Collector or Land Acquisition Authority to show that the petitioner is the owner of the land mentioned at serial no.61 of the notification issued under Section 19(1) of the Land Acquisition Act, 2013 nor any relevant paper was filed before the concerned authority.

In view of the facts aforesaid, Shri Dronacharya, the learned counsel appearing on behalf of the petitioner seeks permission to withdraw this writ petition with liberty that the petitioner may file petition before the Collector/Land



Acquisition Authority with the relevant papers showing that she is the owner of the land and on such the Collector may dispose of the petitioner of the petitioner.

Having considered the facts aforesaid, I think it appropriate to dispose of this writ petition with liberty to the petitioner to file petition before the Collector/Land Acquisition Authority, Khagaria with all relevant documents showing that the lands of Plot No.673 mentioned at serial no.61 of the notification issued under Section 19(1) of the Land Acquisition Act, 2013 belongs to the petitioner and on such the Collector or the Land Acquisition Authority shall pass order in accordance with law within four months from the date of filing of such petition.

With the aforesaid observation and direction, the writ petition stands disposed of.

(Prabhat Kumar Jha, J)

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