

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2208 of 2023

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Meena Choudhary W/o Late Ram Chandra Choudhary Gram- Naruar, Post - Naruar, P.S. - Bhairavsthan, Distt. - Madhubani, Bihar, Pin - 847403.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Patna, Bihar.
2. The Principal Secretary, Revenue and Land Reforms Department, Patna, Bihar.
3. The Divisional Commissioner, Darbhanga, Bihar.
4. The District Magistrate, Madhubani, Bihar.
5. The Director, Land Acquisition Department, Patna, Bihar.
6. The District Land Acquisition Officer, Madhubani.
7. The Circle Officer, Lakhanaur, Dist. - Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Jha, Adv.
For the Respondent/s : Mr. Sajid Salim Khan (SC-25)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioner and learned counsel for the State.

2. The present writ petition has been filed for directing the respondents to make payment of compensation as decided by the Government for acquiring the land for construction of RCC Bridge and connecting road situated in Mauza- Behat, Circle- Lakhanaur, Khata No. 18833, Khesara No.- 5993/10160, Area- 0.09 Decimal.

3. Counsel for the petitioner submits that the land in question is the ancestral properties of the petitioner and it was

recorded in Ram Narayan Chaudhary who had three sons and three daughters. Counsel for the petitioner has annexed the certificate issued by the Circle Officer, Jhanjharpur which is Annexure-1 of the writ petition. He submits that without information to others, one brother, namely, Krishna Chandra Chaudhary who got his alone name mutated in the records of right due to which notification of the acquisition has come in his name only for the said land whereas the actual fact is that the said land belongs to all six members of the family who are heirs of Late Ram Narayan Chaudhary. Counsel himself submits that he has filed representation before the Land Acquisition Officer, Madhubani in this regard.

4. Counsel for the State submits that at the time of acquisition of the land under notification, the land was not made in the name of the petitioner but if, she has grievances, she may obtain a decree from the competent Civil Court and file representation before the Land Acquisition Officer, Madhubani in this matter.

5. After hearing both the parties, this Court is of the view that under writ jurisdiction, the claim of the petitioner alone cannot be decided. The petitioner has two option only, the first is either to file a joint application by all brothers and sisters

and represent before the Land Acquisition Officer, Madhubani
or the second is to obtain a decree from competent Civil Court
and, then, file a representation before the Land Acquisition
Officer, Madhubani.

6. With this direction, the present writ application is
hereby disposed of.

(Dr. Anshuman, J.)

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