

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2485 of 2022

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Asha Devi Wife of Yogendra Prasad Varma @ Yogendra Prasad Varma,
Resident of Mohalla-Singhi Kalan @ Singhai Kalan, P.S. Arrah Town,
District-Bhojpur

... Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Department of Land Reforms and Revenue, Govt. of Bihar, Patna.
2. The Collector, Bhojpur at Arrah.
3. The D.C.L.R., Sadar, Bhojpur at Arrah.
4. The District Land Acquisition Officer, Bhojpur at Arrah.
5. The Circle Officer, Bhojpur at Arrah, Sadar Arrah, Bhojpur, at Arrah.
6. N.H.A.I.

... Respondents

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Appearance :

For the Petitioner : Mr.Md. Ataul Haque, Advocate
For the Respondents : Mr.Md. Khurshid Alam (AAG12)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-11-2023 IA No.1 of 2023 has been filed to implead respondent intervenor as one of the respondents in the present writ petition.

2. It is submitted by learned counsel appearing for the intervenor that the land in question is subject matter of F.A.No.154 of 2018 in which intervenor is also one of the appellants and suppressing this fact, instant writ petition has been filed by the petitioner for grant of compensation.

3. For the reasons given in I.A.No.1/2023, the same is allowed and let the intervenor be added as respondent no.7 to the present writ petition.

4. Writ petition has been filed for directing the respondent authorities to pay the compensation amount against



acquisition of the land of the petitioner for the purpose of construction of National Highway.

5. Learned counsel for the State has filed counter affidavit. It is stated that the right, title and ownership of the land in question is sub-judice and is subject matter of FA No. 154 of 2018 which is pending before this Court. Learned counsel submits that till decision of the First appeal, no order can be passed for payment of compensation by this Court in the writ jurisdiction.

6. Since the piece of land for which compensation is sought by the petitioner is already subject matter of F.A.No.154 of 2018 in which petitioner and intervenor respondent are parties and the same is pending before this Court, no order for payment of compensation can be passed.

7. This writ petition is disposed of with liberty to the petitioner to seek remedy after disposal of F.A.No.154 of 2018.

(Prabhat Kumar Singh, J)

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