

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8046 of 2021

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Ruma Devi Wife of Hardeo Prasad Singh Resident of Village- Babu Chakla,
P.S.- Gogri, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Revenue Dept. Govt. of Bihar, Patna.
2. The Collector Khagaria.
3. The Additional Collector Khagaria.
4. The Sub- Divisional Officer Gogri, Dist.- 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	:	Mr. Dronacharya, Sr.Adv. Mr. Ram Shankar Kumar, Adv.
For the State	:	Mr. Rishi Raj Singh (Sc19) Mr. Saurabh Kumar, AC to SC-19
For the Resp.8 & 9	:	Mr. Md. Nadim Seraj, Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-11-2023 Heard learned counsel for the petitioner, learned State

counsel and learned counsel appearing on behalf of Bihar Rajya

Pool Nirman Nigam Limited.

2. The present writ application has been filed for

issuance of direction to the respondent authorities to award

compensation to the petitioner for the land in question i.e. in

village – Sher Chakla, P.S. - Gogri, District – Khagaria,

appertaining to Khata No.- 451, Khesra – 673, Area – 10



Katthas.

3. It is the contention of the petitioner that the land in question is a *rayati* land of the petitioner and without initiation of any land acquisition proceeding or payment of compensation amount to the petitioner, the land in question has been acquired by the respondents authorities.

4. On the other hand, learned counsel for respondent no. 8 & 9 / Bihar Rajya Pool Nirman Nigam Limited submits that earlier also, the petitioner had moved for payment of compensation before this Hon'ble Court, vide C.W.J.C. No. 20597 of 2019, and after hearing the parties, the petitioner was directed to file an application before the Collector, who shall pass order in accordance with law within four weeks from the date of filing of such application. Pursuant to the direction of this Hon'ble Court, the Collector, Khagaria, vide order dated 20.12.2019 (Annexure – 13 to the writ application), has rejected the claim of the petitioner for grant of compensation on the ground that the land in question is of State of Bihar and therefore, being aggrieved by the said order, the petitioner has filed the present writ application, which is required to be dismissed outrightly.

5. Considering the rival submissions of the parties,



materials available on the record and the nature of dispute raised by the parties, this writ application is not maintainable. The question as to whether the land in question is a *rayati* land or belongs to State of Bihar cannot be decided in this writ jurisdiction. However, the petitioner is granted liberty to file appropriate suit before the competent authority.

6. With above observation, the writ petition stands disposed of.

(Prabhat Kumar Singh, J)

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