

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14854 of 2022

=====

Tara Devi wife of Late Kamla Kant Jha, Resident of House No. 143, Ward No. 23, East Ajimganj, Haveli Kharagpur, Police Station- Haveli Kharagpur, District- Munger, presently resided at Khoda Colony, Gaziabad, District- Gaziabad, U.P., through her constituted attorney Sri Manikant Mishra, aged about 65 years, Male, Son of Late Indrakant Mishra, resident of House No. 234, Street No. 5, Sanjay Colony, Suryavihar Part-2, Sehatpur, Sector-91, Faridabad, District- Faridabad, Haryana.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Government of Bihar, Secretariat, Bailey Road, Patna.
2. The District Magistrate, Kila Compound, Munger, Bihar.
3. The Commissioner, Munger, Bihar.
4. The Chief Engineer, Rural Works Department, Government of Bihar, Secretariat, Patna.
5. The Executive Engineer, Rural Works Department, Works Division, Kharagpur, Tarapur, District- Munger.
6. The Deputy Collector, Land Reforms, Haveli Kharagpur, Munger.
7. The Circle Officer, Haveli Kharagpur, Munger.
8. The Panchayat Sevak, Haveli Kharagpur, Munger.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Das
For the Respondent/s : Mr.Archana Meenakshee (Gp 6)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 28-08-2023 The present writ petition has been filed seeking the following relief:-

“1(i). Through this writ application petitioner craves indulgence of this Hon'ble Court commanding the respondents directing him to remove the encroachment over her land appertaining to Khata No.52, Khesra No. 67 and 68, Thana No. 166, Tauzi No. 450 over which



rural works Department while constructing a road namely Basic School to Muzafarganj, Shashan Main Road under BRRDA Scheme vide agreement No. 19 SBD/17-18, 10.9 Decimal land of this petitioner encroached/utilized without any acquisition under due process of law or without paying compensation to her.”

2. At the outset, the learned counsel for the Respondent-State submits that the Respondents have already computed the amount of compensation to be paid to the land owners, totalling to a sum of Rs. 2,70,369/-, however, since the daughters of the petitioner are quarrelling amongst themselves, the State authorities are finding it difficult to decide as to whom the compensation amount should be paid.

3. The learned counsel for the petitioner fairly submits that she has gifted her land to her two daughters, hence, the Respondent authorities can measure the land in possession of the respective daughters and in the said proportion, the amount of compensation may be paid to them. It is directed accordingly.

4. At this juncture, the learned counsel for the petitioner seeks liberty on behalf of the petitioner and her two daughters to agitate the issue of inadequacy and incorrect computation of the amount of compensation, assessed by the Respondent authorities,



in case they are so aggrieved. Liberty so sought, is granted.

5. The present writ petition stands disposed off.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

