

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.485 of 2023

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Chanchala Kumari Wife of rajesh Kumar Choudhary, Resident of Pragya Bhawan, Nalanda Colony, Khajpura, P.S.-Rajiv Nagar, P.O.-B.. College, District-Patna-800014, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue and Reform Department Bihar.
2. District Magistrate, Patna.
3. District Land Acquisition Officer, Patna.
4. Circle Officer, Danapur.
5. Amin Circle Officer, Danapur.
6. Superintendent Engineer, Building Construction Department, Patna.
7. Executive Engineer, Building Construction Department, Patna.
8. Asistant Engineer, Building Construction Department, Danapur, Patna.
9. Junior Engineer, Building Construction Department, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rohit Kumar, Adv.
	:	Mr. Rajesh Kr. Choudhary, Adv.
For the Respondent/s	:	Mr. Arun Kumar Bhagat, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 21-06-2023

Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner has filed the present writ petition

either to demolish the building constructed on her purchased

land through registered sale deed No. 3692 dated 28.06.2003 or

to compensate the petitioner by way of providing land of equal

value or to pay compensation amount 10 times of the market

value of the land in question.

Counsel for petitioner submits that the petitioner has purchased a piece of land of 1530 Sq.ft. appertaining to Mauza- Saguna, Survey Thana No. 23, Tauzi No. 5233, Khata No. 22, Plot No. 499 with surrounding mentioned in the registered sale deed. Counsel submits that after purchase of the said land, petitioner has applied for mutation and the said land was mutated in her name.

Counsel further submits that rent receipt was granted to her. He submits that on the latest records, the name of the petitioner was found entered in the website of the revenue department also. Through the website, petitioner has also paid the online rent receipt. The physical and online rent receipt are also the part of the writ petition.

Counsel submits that the petitioner has also filed an application before Circle Officer, Danapur for measurement of her land and for that she has made requisite payment for the measurement also. But measurement report has not been provided to the petitioner even after repeated efforts.

Counsel for petitioner further submits that for getting the measurement report, petitioner has filed a *Chirkut* (Requisite for obtaining certified copy) before the Circle Officer, Danapur but no action has taken place. Counsel for

petitioner specifically mentioned that at the time of measurement, petitioner was present with her counsel and it has come to the knowledge of the petitioner that due to the mistake on the part of the State authorities particularly, the office of the Circle Officer, Danapur, the construction of Government building has been made on petitioner's land and upon getting such information, petitioner has filed the present writ petition with above said prayer.

Counsel for State submits that the pleadings of the petitioner require verification.

This Court is of the view that petitioner has already filed her representation before the Collector of the district which is without date and without signature. Therefore, this Court is directing to the petitioner to file a fresh representation before the Collector, Patna within 4 weeks' from today attaching the copy of the writ petition and the Collector, Patna is directed to set up an inquiry in this matter and obtain a report within 4 months and if found that contention of the petitioner is correct, then in that case, it is directed to the District Magistrate, Patna either to demolish the said construction which has been made on the land of the petitioner or to compensate by way of initiation of the land acquisition process within a period of 6 months after

receiving the report.

With this direction, this civil writ application is
hereby disposed of

(Dr. Anshuman, J.)

prakashmani/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	