

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1542 of 2024

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Kumodani Devi Wife of Devendra Mishra Resident of Village Shrikhandi
Bhittha, Ward No. 1, Police Station Sursand, District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat Building, Patna.
2. The Additional Chief Secretary, Department of Revenue and Land reforms, Government of Bihar, Patna.
3. The District Magistrate, Sitamarhi.
4. The District Land Acquisition Officer, Sitamarhi.
5. The Circle Officer, Sursand.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jai Vardhan Narayan, Advocate
For the Respondent/s : Mr.Government Pleader (19)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-05-2024 Heard the parties.

2. The present petition has been preferred for the following reliefs.

(i) issuance of directions, orders or writs in the nature of mandamus directing the respondents to forthwith pay enhanced adequate compensation to the petitioner in lieu of her rayai land that has been acquired appertaining to Khata No. 25, Khasra No. 4974, total area admeasuring 0.1175 acres situated at Mauza Shrikhandi Bittha, Thana Sursand, Thana No. 49, District Sitamarhi in Land Acquisition Case No. 01/2021-22 and



the total amount that has been paid as a compensation amount to the petitioner is Rs. 11,35,213 whereas the petitioner had purchased the aforesaid land in the year 2019 from one Vimal Kumar Thakur son of Late Rameshwar Thakur and Kautilya Thakur son of Late Indra Kumar Thakur at a considerable rate amounting to Rs. 11,28,000 by a registered sale deed executed on 14.02.2019 and the petitioner was granted the aforesaid compensation amount by the order of the District Land Acquisition Officer vide order passed on 24.06.2023;

(ii) issuance of directions, orders or writs in the nature of mandamus directing the respondents to forthwith decide the case of the petitioner by way of representation inasmuch as the amount of compensation which has been invariably and arbitrarily granted to the petitioner without considering the fact that the same piece of land had been purchased in the year 2019 and even after lapse of three years, the amount of compensation has been granted on almost the same price which is completely arbitrary and against the spirit of the statutory provisions as provided under the Right to Fair, Compensation and Transparency Land Acquisition, Rehabilitation and Resettlement Act, 2013 (In short "the Act of 2013")



3. Learned counsel for the petitioner submits that he will be availing appropriate opportunity by filing a representation.

4. The writ petition stands disposed of without expressing any opinion.

(Rajiv Roy, J)

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