

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13531 of 2024

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Poonam Jha, S/o Bhawkat Jha @ Bhawkant Jha, Residence of Village and Post and Mohallah- Kailashpuri, Ward No.- 45, Road No.- 2, P.S.- Dumra, Anchal- Dumra, Distt.- Sitamarhi and at present resident of Village- 1-5-15/201 Benkat Sai Niwash, New Maruti Nagar Kotapet, Haidarabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Urban Development Works Department, Bihar, Patna.
2. The Distt. Magistrate, Sitamarhi.
3. The Distt. Land Acquisition Officer, Sitamarhi.
4. The Circle Officer, Dumra, Distt.- Sitamarhi.
5. The Executive Engineer, Urban Works Department, Distt.- Sitamarhi.
6. The Assistant Executive Engineer, Urban Works Department, Distt.- Sitamarhi.
7. The Commissioner, Nagar Nigam, Sitamarhi.
8. The Contractor of the Nagar Nigam, Sitamarhi, Road Construction Department, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar, Advocate
For Nagar Nigam	:	Mr. Surendra Kishore Thakur, Advocate
		Mr. Subodh Kumar, Advocate
For the State	:	Mr. Sanjay Kumar, AC to AAG-4

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-09-2024

Heard the parties.

2. The petitioner by invoking the extraordinary writ jurisdiction of this Court under Article 226 of the Constitution, seeking a direction upon the respondents, especially respondents no. 6, 7 and 8 to ensure the payment of compensation to the petitioner appertaining to land admeasuring 3 decimal falling within Khata no. 664 and plot no. 3189, which is said to have



been used for the purposes of construction of road without there being any acquisition and compensation.

3. Learned counsel for the petitioner contended that the land in question is raiyati land of the petitioner, which she has purchased from the *bonafide* vendor way back in the year 1995. However, the authorities concerned has illegally encroached over the land of the petitioner by making a construction of road.

4. At this juncture, learned counsel for respondent no.7, apprised this Court that the grievance of the petitioner was taken into consideration and respondent no.7 has directed the Municipal Amin to get the land measured and, if any, construction has been made over the land of the petitioner, the same is directed to be removed.

5. Learned counsel for the State interjected the submission and urged before this Court that measurement is required to be done by respondent no.4, the Circle Officer, Dumra, Sitamarhi.

6. Be that as it may, considering the afore-noted facts, the respondents no.4 and 7 are directed to look into the grievance of the petitioner and after proper measurement of the land in question, take appropriate action in accordance with law.



7. Suffice it to say that if the land of the petitioner has been encroached over by making any construction of road, either the same may be removed or ensure payment of compensation to the petitioner, in accordance with law.

8. The writ petition stands disposed off.

(Harish Kumar, J)

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