

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17846 of 2023

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Promila Dhiman Wife of Late Balbir Chand Dhiman, Residing at 634, Ward No. 1, Harman Nagar, Dassi Road Talania, P.S.- Talania, Fatehgarh Sahib, Punjab.

... .. Petitioner

Versus

1. The State of Bihar through Collector, Patna.
2. The Managing Director, Bihar State Water Boring Canal Road, Patna.
3. The Executive Engineer, Bihar, Bihar State Water Board (BISWAS Board), Ganga Project, Division No. 5, Kankarbagh, Patna-20
4. The Executive Engineer, BISWAS Board, Kankarbagh, Patna-20.
5. The S.D.O., BISWAS Board, Kankarbagh, Patna-20.
6. The Land Acquisition Officer, Land Acquisition Officer, Patna.
7. The Dy. Collector, Land Acquisition Officer, Patna.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Nagadeo Choubey, Advocate
For the Respondents : S.C.-18

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 05-04-2024 Heard the parties.

2. This writ petition has been filed for the
following reliefs:-

“i. For issuance of a writ in the nature of Writ of Mandamus or any other appropriate writ, order or direction for removal of encroachment by the respondent authorities wherein and whereby the respondents without following the due process of law as laid down under the Land Acquisition Act has made illegal and unlawful construction



upon the lands belonging to these petitioner.

ii. For seeking explanation cum show cause from the respondents asking therein that under what authority and provision of law was the land belonging to these petitioners encroached upon without following the procedural due process and principles of natural justice.

iii. For awarding exemplary cost against the respondents for encroaching the lands of these petitioner illegally, without following the procedure established by law and for making unauthorized construction of pucca permanent road over the land of the petitioner.”

3. A cheque of Rs.5,63,069/- has been given by learned counsel for the State to the learned counsel for the petitioner, which has been accepted by the petitioner with protest.

4. This application is disposed of with a liberty to the petitioner to take steps in accordance with law for enhancement of compensation.

(Sandeep Kumar, J)

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