

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7616 of 2017

- 1.1. Kamini Devi W/o Late Chandra Mohan Chaudhary, Resident of Village - Gandaul, Ward No. 02, P.S. - Mahishi, District- Saharsa.
- 1.2. Priya Ranjan Choudhary S/o Late Chandra Mohan Chaudhary, Resident of Village - Gandaul, Ward No. 02, P.S. - Mahishi, District- Saharsa.
- 1.3. Rakesh Roshan Choudhary S/o Late Chandra Mohan Chaudhary, Resident of Village - Gandaul, Ward No. 02, P.S. - Mahishi, District- Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The District Magistrate, Saharsa.
4. The Land Acquisition Officer, Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Respondent/s : Mr.Raj Kishore Roy- Gp18

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 14-07-2025 Heard the parties.

2. The present petition has been preferred for the following relief/s:

(i) for issuance of an appropriate writ preferably in the nature of Mandamus commanding and directing the Respondents concerned to prepare and issue the award of compensation for acquisition of land vide Khata No. 369, Khesra No. 446 (old), New Khesra No. 1359/3924, measuring 2 katha



under Mauza-Gandaul, P.S.-Mahishi, District-Saharsa which has been acquired for the purposes of construction of National Highways No.17 between Baluaha Ghat and Gandaul to Biraul (Hathikothi), Saharsa, which land belongs to this petitioner, but despite apprising the factual position and ownership of the land by the petitioner the compensation is not being paid to him whereas in the similar matter in which a deed of gift was also executed by the petitioner in respect of constructing the school building which too has been acquired by the Respondent State for the said purpose in which compensation amount is to be paid to the petitioner. And/or any other relief or reliefs for which the petitioner is found entitled to in the facts and circumstances of this case.

3. Mr. Raj Kishore Roy has taken this Court to the counter affidavit filed on behalf of respondent nos. 3 and 4 with specific reference to Annexure-A to show that both sons namely



Rakesh Roushan Chudhary and Priya Ranjan Choudhary have received 1/4 share each as the deceased Chandra Mohan Choudhary was entitled to only 1/2 of the ancestral land. The rest 50 per cent went to the other agnates namely Krishna Mohan Choudhary.

4. Learned counsel for the petitioner submits that the lady widow shall be ascertaining the fact and if necessary, shall be filing objection.

5. Considering the fact that the compensation amount has been received by the two sons, if the widow has some grievance, she can very well approach the concerned authority (respondent no.4).

6. The writ petition stands disposed of with the aforesaid observation.

7. Pending Interlocutory Application(s), if any also stand(s) disposed of.

(Rajiv Roy, J)

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