

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13636 of 2017

Most. Panma Devi Wife of Late Lutan Thakur, resident of Village- Lilagora,
P.S. Banka, District- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Director, Land Acquisition Department, Govt. of Bihar, Patna.
4. The Commissioner, Bhagalpur Division, Bhagalpur.
5. The District Magistrate cum Collector, Bhagalpur.
6. District Magistrate cum Collector, Banka.
7. The District Land Acquisition Officer, Bhagalpur.
8. The District Land Acquisition Officer, Banka.
9. The Chief Engineer, Road Works Department, Patna.
10. The Superintending Engineer, Road Works Department, Bhagalpur.
11. The Executive Engineer, Road Works Department, Banka.
12. Sub Divisional Officer, Road Works Department, Banka.
13. The Circle Officer, Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar Singh, Adv.
For the Respondent/s : Mr. Manoj Kumar Sinha, A.C. to S.C. 19

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-05-2025 Heard the parties.

2. The present application has been filed:

*A writ in the nature of mandamus
or any other appropriate writ, order,
direction commanding the respondents to act
in accordance with law and further to direct
the respondent to make payment of
compensation amount with interest for*



admitted portion of land acquired in khata no.366/108,41,421, and 412 khesra no.2460, 2459,2488,2489,2509,2502,2506, total Rakwa 0.38 Acres for the construction of Banka - Belhar Road in accordance with new rule of Land Acquisition. The said road has been constructed.

3. Learned counsel for the petitioner submits that the two districts are throwing balls in each other's court inasmuch as the Banka Circle Officer has filed the counter affidavit according to which the land was acquired by the office of the District Land Acquisition Officer, Bhagalpur and hence after bifurcation of Banka, the Land Acquisition Officer, Banka is/are not responsible for it.

4. This counter affidavit was filed in the year 2019, the State Counsel after filing of this counter affidavit and incorporating paragraph 6 by which the ball was thrown in the court of Bhagalpur Land Acquisition Officer, it was the duty to file another reply of the Bhagalpur Officials. However, as usual, they have failed to do so. This attitude is deprecable.

5. Learned counsel for the petitioner submits that it will suffice if he is allowed to approach the Divisional Commissioner, Bhagalpur Division, Bhagalpur as when both the districts are throwing ball in each other's court, the Commissioner, Bhagalpur Division, Bhagalpur being the head of both the Districts, he shall be able to adjudicate the entire



matter.

6. In that background, the writ petition is disposed of allowing the petitioner to approach the Divisional Commissioner, Bhagalpur Division, Bhagalpur in next four weeks along with all the relevant documents. If such petition is filed, the same shall be taken to its logical conclusion in next six months.

7. The writ petition stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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