

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4183 of 2017

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Munni Devi Daughter of Late Baban Prasad Chaudhary, Wife of Sri Raj Narayan Sah, R/o Village-Pachtakki Ram, P.S. and Circle-Bairginia, District Sitamarhi

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Collector, District-Sitamarhi.
3. The Additional Collector-Cum-Appellate Authority, District-Sitamarhi
4. The District Land Acquisition Officer, District-Sitaarhi
5. The Circle Officer, Bairginia Block, District-Sitamarhi
6. Vijay Jaiswal, Son of late Dharm Chand Prasad R/o Village-Phulwana P.S. Dhaka Circel Dhaka, District - East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mrs. Nutan Sahay, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 09-09-2025 No one appears on behalf of the petitioner though

Mrs. Nutan Sahay, learned AC to AAG-12 representing the State

is present.

2. The present petition has been preferred for the
grant of following relief(s):

*“for issuance of a writ in the nature of
Mandamus directing the respondent no. 4 to not
release the compensation amount in Land
Acquisition Case No. 47 of 2013 pertaining to
Khata No. 120, Khesra No. 432, 431, 430 and*



429 measuring an area of 0.31 decimal which was acquired for construction of Indo Nepal Boarder Link Road for which the petitioner made her objection to the respondent no. 2 and 4 by submitting detailed representation annexing the copy of Khatiyani and L.P.C. of the land in question issued by the authority and further for issuance of any other appropriate writ/writs, order/orders, direction/directions for which the petitioner is entitled to in the facts and circumstances of the case.”

3. Learned State counsel has taken this Court to paragraphs no.4 to 7 of the counter affidavit on behalf of the respondent nos. 1 to 4 to show that the claim for compensation was made by the private respondent no.6, Vijay Jaiswal, the fact is that it was purchased by his mother in the year 1963 and there is revenue receipts also issued to her. Accordingly, the compensation amount was paid to the respondent no.6 with regard to plot no. 431 and 432 but no payment has been made for plot no. 429.

4. Mrs. Sahay took this Court to the paragraph no.8 of the counter affidavit, according to which, the land in question



was sold by the uncle of the writ petitioner, Vinod Prasad Chaudhary which she has admitted and in that background, the writ petition is fit to be dismissed with cost.

5. The counter affidavit was served upon the learned counsel for the petitioner on 09.02.2018, we are in the year 2025, for seven years, the said facts have not be rebutted.

6. Though this case is fit to be dismissed with cost, in view of the fact that no one has appeared, the writ petition stands dismissed for non-prosecution.

(Rajiv Roy, J)

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