

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.339 of 2022

In
Civil Writ Jurisdiction Case No.16756 of 2016

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Jamuna Bhagat @ Jamuna Prasad @ Yamuna Singh S/o Late Balkhila Singh,
Resident of Bathuaa Bazar, Saunhi Patti, P.S.-Fulwaria, District-Gopalganj.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar.
2. The Union of India through the Secretary, Railway Department, Govt. of India, New Delhi.
3. The General Manager, North East Railway, Gorakhpur, Uttar Pradesh.
4. The D.R.M. Baranasi, Uttar Pradesh.
5. The D.M. Gopalganj, District-Gopalganj.
6. The District Land Acquisition Officer, Gopalganj.
7. The Circle Officer (C.O.), Fulwaria Block, District-Gopalganj.
8. Kalawati Devi, W/o Suraj Bali Singh, Resident of Village-Sawni Patti, Tolla-Bairagia, P.S.-Fulwaria, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Raju Giri, Sr. Adv Mr. Harsh Vardhan, Adv Mr. Harsh Raj, Adv
For the State	:	Mr. Asif Kalin, AC to AAG12
For the U.O.I.	:	Mr. Alok Kumar, CGC

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

8 17-09-2025 Appellant has assailed the order of learned Single Judge dated 21.12.2019 passed in CWJC No. 16756 of 2016. Respondent Kalawati Devi-petitioner has prayed for the following reliefs in the writ petition:-

(i) For issuance of a writ in the nature of mandamus strictly directing the respondent to



make full payment of compensation award within a short fixed period including initial 80% amount of Rs. 1,12,430/- (Rupees one Lakh Twelve thousands and four thirty only) alongwith appropriate interest of at least 18 % per annum since 02.06.2008, the date on which part award prepared (Anenexure-1) as yet but has not been paid to the petitioner became poor law/petitioner was unable to fullfill the illegal demands of the respondents and have created superficial hurdle, bringing one ouster prison respondent no. 7, who has no legal right and title at all on the lands which have been acquired by the Respondents and further for issuance of any other writ of writs direction or directions as it may be deemed fit and proper to the facts and circumstances of this case.

2. The aforementioned reliefs cannot be granted under Article 226 of Constitution in a writ petition for the reasons that award is required to be executed in the manner known to the law under the Land Acquisition Act. That apart, there are certain disputes among the appellant-Jamuna Bhagat and respondent-Kalawati Devi claiming rights over the subject land which was acquired by the authorities. In the light of these facts and circumstances, learned Single Judge has committed error in entertaining the writ petition and directing the concerned Authority to extend benefits of land acquisition like



compensation and interest. Thus, appellant has made out a case so as to interfere with the order of learned Single Judge dated 21.12.2019 and it is set aside to the extent that writ petition is not maintainable. The respective parties are at liberty to invoke appropriate remedy before the appropriate forum to agitate their rights in the manner known to the law.

3. Accordingly, the present LPA No. 339 of 2022 stands disposed of. Pending I.A(s), if any, stands disposed of.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

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