

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12152 of 2025

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Shabnam Devi @ Shabnam Kumari Wife of Suman Kumar Singh, Resident of Village- Barhauna, P.S.- Barahat, District- Banka, at present Mohalla- Nayatola Banka, P.S. Banka, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Registrar, Civil Court, Banka.
3. The Collector, Banka.
4. Additional Collector, Banka.
5. The District Land Acquisition Officer, Banka.
6. The Superintendent of Police, Banka.
7. The Circle Officer, Banka.
8. The SHO, Police Station, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh
For the Respondent/s : Mr. Government Pleader (05)

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-08-2025 1. Heard learned counsel for the petitioner, learned AC to GP-5 and the learned counsel appearing on behalf of the respondent no. 2, Ms. Anukriti Jaipuriyar.
2. The learned counsel appearing on behalf of the petitioner submits that the instant writ application has been filed for seeking the following reliefs:-

“(i) For issuance of an appropriate writ in the nature of Mandamus by directing the respondents authorities not to demolish the running shop of the



petitioner, which is only source of her livelihood, situated outside, adjacent to the premises of Civil Court, Banka, on his purchased land facing on Banka Municipal Road, bearing Khata No. 88/179 Survey plot No. 74(ch)/1493 measuring an area .918 decimals, equal to 400 Sq. ft. only, within Mauza Bogariya, Thana No. 70, Ward No. 5/7 under Municipality, Banka.

(ii) Further for issuance of an appropriate writ in the nature of Certiorari to quash the notice dated 28.06.2025 issued by the Respondent No. 2 u/s 5 of the RFCTLARR-2013, contained in Memo No. 457/ Land Acquisition Banka, (Annexure-3) to the petitioner, without following the rule and regulation of the Act, in hasty manner.”

3. The learned counsel appearing on behalf of the petitioner submits that the land in dispute is the purchased land of the petitioner and after purchasing the land, the petitioner got the same mutated and thereafter Jamabandi No. 190135000128531 was created in the name of the petitioner. It is next submitted that petitioner is running a shop on the land in dispute and the petitioner is threatened with acquisition of the land for the purposes of Civil Court, Banka. It is next submitted that the shop on the land is the only source of livelihood for the petitioner and in the event



if land is acquired, the petitioner would lose her livelihood.

4. The learned counsel appearing on behalf of the respondent no. 2 draws the attention of the Court to Annexure- P/3, Page 22 of the writ application to submit that the land is to be acquired for the purposes of Civil Court, Banka for which social impact assessment has been made and the petitioner has been asked to submit her objection, if any to the Social Impact Assessment Report, on which the learned counsel appearing on behalf of the petitioner submits that the petitioner has already submitted her objection, as would manifest from Annexure- P/4 to the writ application.

5. At this stage, the learned counsel appearing on behalf of the petitioner submits that petitioner will have no objection in the event if the land is acquired for the aforesaid purpose in accordance with law, on which the learned counsel appearing on behalf of the respondent no. 2 submits that in the event if the land of the petitioner is acquired, the petitioner would be duly compensated in terms of the Right to Fair Compensation and Transparency



in Land Acquisition, Rehabilitation and Resettlement Act,
2013.

6. After hearing the learned counsel for the parties,
the writ application is disposed of with a direction to the
Collector, Banka to ensure that the land acquisition
proceeding is completed within a period of three months
from the date of receipt/production of a copy of this order,
in accordance with law.

(Satyavrat Verma, J)

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