

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3986 of 2026

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Jagtarani Devi W/o- Mahesh Paswan, Resident of village- Nayagaon,
Nayatola, P.S.- Desari District- Hajipur (Vaishali).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Land Revenue, Patna (Bihar).
2. The Divisional Commissioner, Hajipur (Vaishali).
3. The District Magistrate cum Collector, Hajipur (Vaishali).
4. The District Land Acquisition Officer, Hajipur (Vaishali).
5. The Circle Officer, Bidhupur, (Vaishali).
6. Santosh Kumar Sharma, Son of Sri. Paltan Sharma, Res. of Village- Rajpur, Johnpur, P.S. - Patori (O.P) District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Manish Kumar, Advocate
For the State	:	Mr. Binod Kumar Yadav SC-18
For the Respondent no.6	:	Mr. Amit Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 31-03-2026 Heard learned counsel for the petitioner, learned

counsel for the State and learned counsel appearing on behalf of

Respondent No. 6.

2. The present writ petition has been filed for
quashing the order dated 06.01.2026 (Annexure-9) passed by
the District Land Acquisition Officer, Hajipur (Vaishali)
(respondent no. 4) and for a further direction to the respondent
authorities to cancel the Land Possession Certificate (LPC)
issued in favour of respondent no. 6.

3. Learned counsel for the petitioner submits that the



petitioner is the *bona fide* purchaser and in possession of land appertaining to Khata No. 317, Khesra Nos. 114 and 115, admeasuring a total area of 10 decimals, which was purchased from Mostt. Manju Devi on 22.01.2021 through a registered sale deed dated 23.01.2021. It is submitted that after purchase, the petitioner came in possession of the land and constructed a residential (*karkatnuma*) house and has been residing there along with her family members for the last four years. It is further submitted that the land has been duly mutated in her name and rent has been regularly paid to the State Government. It is further contended that the Circle Officer issued a Land Possession Certificate (LPC) in favour of the petitioner on 23.04.2025 after due verification. The land, in-question, has subsequently been acquired under the National Highway Project (Jadua to Sherpur Section) and the petitioner, being the recorded *raiyyat*, is entitled to compensation. Learned counsel submits that despite submission of all relevant documents, respondent no. 6 has raised a false claim over the same land and has produced LPC leading to rival claims over the same land. It is further submitted that the Circle Officer, Bidhupur (respondent no.5), conducted an enquiry in a perfunctory manner without proper spot verification or local inquiry and submitted an erroneous



report dated 04.10.2025. Based on such report, the District Land Acquisition Officer, Hajipur (respondent no.4) passed the impugned order dated 6.1.2026 (Annexure-9) holding that both parties are in possession and are entitled to compensation.

4. On the other hand, learned counsel for the State submits that both the petitioner and respondent no. 6 are claiming possession over the same land and have allegedly constructed houses.

5. Having heard the parties and on perusal of the impugned order dated 6.1.2026 (Annexure-9) it appears that the authority has relied upon the enquiry report submitted by the Circle Officer, Bidhupur (respondent no.5), vide Letter No. 1814 dated 04.10.2025, wherein it has been reported that the actual physical possession of the land could not be clearly ascertained. On the basis of such finding, the authority has concluded that it is difficult to determine the rightful raiyat entitled to receive compensation. Accordingly, the authority has invoked the provisions of Section 3H(4) of the National Highways Act and referred the matter to the competent authority/Civil Court at Hajipur, Vaishali, for deciding the rival claims of the parties.

6. Having considered the facts and circumstances, this



Court does not find any ground to interfere with the impugned order.

7. However, the petitioner is at liberty to raise all her objections and claims before the competent authority/Civil Court at Hajipur, Vaishali, in accordance with law.

8. With the aforesaid observations, the writ petition stands disposed of.

(Khatim Reza, J)

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