

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6072 of 2025

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Jiramani Devi W/o - Gopal Prasad Mahto R/o Vill- Kishunpur Tola,
Jaganbigha, PS-Amba, Dis - Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through the District Collector, Aurangabad.
2. The District Collector, Aurangabad, Dist-Aurangabad.
3. The Additional Collector, Aurangabad, Dist-Aurangabad.
4. The land Acquisition officer, Dist - Aurangabad.
5. The Competent Authority cum Deputy Collector, Land Reforms, Aurangabad, Dist - Aurangabad.
6. The Anchal Adhikari, Kutumba Anchal, Dist - Aurangabad.
7. The Project Director NHAI, Aurangabad, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Brij Bihari Tiwary, Advocate
For the Respondent/s	:	Mr. Kumar Pankaj, AC to SC-5
For the NHAI	:	Mr. Sriram Krishna, Advocate
	:	Mr. Shashank Shekhar Kunwar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

7 16-03-2026 Heard Mr. Brij Bihari Tiwary, learned counsel for the

petitioner, the State as also Mr. Sriram Krishna representing the

National Highway Authority of India (henceforth for short 'the

NHAI'

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

*"i. In the nature of "certiorari" for
setting aside the order dated 20.12.2024 passed in
the title verification case No. 26/2022-2023 by the*



Collector, Aurangabad whereby and where under the raiyati claim of the petitioner has been rejected.

ii. In the nature of mandamus also directing and commanding the respondent authorities for payment of compensation amount to the petitioner for the land which has been acquired by the respondents.

iii. For issuance of any other relief or reliefs for which the petitioner is entitled for.”

3. A counter-affidavit has come on behalf of of the Deputy Manager (T) of ‘the NHAI’ and Mr. Krishna has taken this Court to paragraph-7 which read as under:

“7. That it may be stated that the Award of compensation was passed by the Competent Authority for Land Acquisition (CALA) (respondent no. 5 herein on 03.02.2022 and 03.06.2022. That none of the land owners including the petitioner challenged the said Award dated 03.02.2022 and 03.06.2022 before the Arbitrator and therefore the said Award has attained finality.”

4. The reply to the said paragraph-7 by the petitioner



is vague and there is no direct denial to it.

5. There is another paragraph of 'the NHAI' which shows that the petitioner received the compensation amount in the month of July 2025 but this fact was never brought to the notice of Patna High Court despite the matter being heard repeatedly and has been acknowledged only after the counter-affidavit came by way of a rejoinder.

6. The said paragraph of the counter-affidavit read as follows:

“8. That thereafter the payment of due compensation for the lands of the petitioner herein that were acquired for the construction of NH-98 was made to the petitioner in the month of July, 2025 and therefore the writ petition filed by the petitioner has become infructuous. It is most humbly submitted that even though the petitioner received the compensation amount in the month of July 2025, yet the petitioner obtained a status quo order on 10.10.2025 without divulging this essential fact to this Hon'ble Court. It is most humbly submitted that such conduct on the part of the petitioner deserves to be seriously deprecated



as the petitioner is guilty of suppression and fraud because the petitioner cannot ask for a direction for payment of compensation on one hand while on the other hand receive the compensation amount without demur and also obtain a status quo order. It is submitted that such a conduct apart from being a fraudulent one and one of suppression also tantamount to blowing hot and cold in the same breath.”

7. The contention of the petitioner is that in the garb of the said acquisition, the respondents want to usurp the other lands also and a clear demarcation has still not been made. She intends to prefer a proper petition before the Revenue Authorities in this regard alongwith requisite fee so that her land *vis a vis* the acquired land be demarcated.

8. Learned State counsel submits that if such petition is preferred, the same will be taken to its logical conclusion.

9. This Court has taken note of the entire facts and can only show its anguish on the point that when the petition was preferred before this Court and compensation amount was received by the lady in the month of July 2025, the least that was expected from her was to file a supplementary affidavit



acknowledging the same. Instead, she waited for the counter-affidavit and only thereafter, accepted the said fact.

10. Having received the compensation amount and not challenging the amount which has become final, she is not entitled to put forward any point relating to the award in question.

11. However, if there is genuine grievance regarding her other lands which have not been acquired, as rightly pointed out by the learned State counsel, she can very well prefer a proper petition along with requisite fee before the Revenue authorities who shall be taking the matter to its logical conclusion and any measurement/demarcation so made, must be in the presence of all the stake holders including the petitioner. It is expected that the entire process shall be completed at an earliest.

12. With the aforesaid observation, the writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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