

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20525 of 2021

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Anjana Devi Jaiswal @ Anjana Devi Wife of Dharmvir Prasad Resident of
Village- Ghataon, P.S- Kudra, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Kaimur at Bhabua.
2. The District Magistrate, Kaimur at Bhabua.
3. The Competent Authority Cum- District Land Acquisition Officer, Bhabua,
District- Kaimur at Bhabua.
4. The Dedicated Freight Corridor Corporation of India Ltd. (D.F.C.C.I.L.)

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Mishra, Advocate
For the Respondent/s	:	Mr. Sajid Salim Khan (SC-25)
For the DFCCIL	:	Mr. Ajay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 01-05-2026 Heard Mr. Rajesh Kumar Mishra, learned counsel for

the petitioner, Mr. Sajid Salim Khan, learned SC-25 and Mr.

Ajay Kumar, learned counsel representing the Dedicated Freight

Corridor Corporation of India Ltd. (henceforth for short, ‘the

DFCCIL’).

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

*“for quashing the order dated
25.06.2021 passed in Rail Arbitration Case No. 27
of 2020 by learned Arbitrator-Cum- Divisional
Commissioner, Patna upholding the award dated
06.02.2020 passed against the petitioner and also*



for quashing the order Cum Award dated 06.02.2020 passed in Award Case No. 11 of 2019-20 by Competent Authority Cum District Land Acquisition Officer, Bhabua, District Kaimur at Bhabua whereby the claim of the petitioner demanding compensation on commercial rate for the acquired land was rejected.

And/or

Any other order/ orders which may deem fit and proper.”

3. The order has been passed by the Arbitrator-cum-Divisional Commissioner, Patna (Rail Arbitration Case No. 27 of 2020) rejecting the claim of the petitioner to consider her land to be residential/commercial instead of agriculture.

4. The joint submission of the respondents is/are that against the order passed by the Arbitrator-cum-Divisional Commissioner, Patna, the petitioner has to move before a competent Civil Court.

5. The order is dated 25.06.2021 and learned counsel for the petitioner submits that it was the Covid period and at the end of the said period, he preferred writ petition which resulted into delay in filing the case before competent Civil Court.



6. If such limitation petition is filed, the Court concerned shall be considering the limitation petition while dealing with the matter.

7. With the aforesaid observation, the writ petition stands disposed of allowing the petitioner to agitate the matter before the competent Civil Court.

(Rajiv Roy, J)

Adnan/-

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