IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.2725 of 2022
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1. Anindita Mukherjee, D/o Late Binay Krishna Mukherjee
2. Sapna Mukherjee, D/o Late Binay Krishna Mukherjee
   Both resident of Mahuda Road, P.O. Ramnagargarh, P.S. Mahuda, District Dhanbad, Jharkhand.

... ... Petitioners

Versus

1. State of Jharkhand.
2. Deputy Commissioner, Dhanbad, P.O. & P.S. Dhanbad, District Dhanbad.
3. District Land Acquisition Officer, Dhanbad, P.O. & P.S. Dhanbad, District Dhanbad.
4. Circle Officer, Baghmara, P.O. & P.S. Baghmara, District Dhanbad.

... ... Respondents

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mrs. Moushmi Chatterjee, Advocate
Mr. Akshay Kr. Mahato, Advocate

For the Respondent(s) : Mr. Praveen Akhouri, Advocate

07/ 02.09.2026

By filing this Writ Petition, the petitioners have prayed for the following reliefs:-

> *"for issuance of appropriate Writ or Writs, direction or directions, order or orders commanding the Concern Respondents to Pay the Compensation of the land of Mouza Radhanagar, Thana No.303, Khata No.64, Plot No.480, Area 6.66 acres (One plot of 2 acres and other plot is 4.66 acres) after preparing the Award under provision of Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation & Resettlement Act, 2013 because in the year 2014 Land Acquisition Process has been started and for that Circle Officer has measured the land of the petitioner, in this regard a Paper news was published on 17-07-2014 in Prabhat Khabar, but till date no Award has been prepared in the name of Petitioner;*

AND

Petitioners further pray for issuance of appropriate Writ or Writs, direction or directions, order or orders commanding the Concern Respondents to dispose of the Representation dated 21-07-2014 of the Petitioner No.1 by which She has requested the Circle Officer, Baghmara, for payment of compensation for their land."

2. Heard learned counsel representing the petitioners and learned counsel representing the respondents.

3. It is the case of the petitioners that the land appertaining to Mouza *Radhanagar*, Thana No.303, Khata No.64, Plot No.480, Area 6.66 acres, was settled by the *Raja* of Nawagarh Raj Estate, *Manbhum*, vide *Hukumnama* dated 02.01.1946, in favour of Binay Krishna Mukhopadhyay, and after the death of Binay Krishna Mukhopadhyay, these petitioners being his daughters, inherited the aforesaid land and have been in possession of the said land.

4. It is the grievance of the petitioners that the aforesaid land has been utilized by the respondent - State and without any acquisition process, award and also without paying any compensation, the respondents have used the land. Thus, the petitioners are claiming compensation for acquisition of said land.

5. The respondent – State in their counter affidavit, have disputed the title of the petitioners. They have challenged the very execution of alleged *Hukumnama* and have taken a plea that the same is barred by Bihar Land Reforms Act, 1950, as the said *Hukumnama*, had been executed after the cutoff date which is 1st

January, 1946.

5.1. It is the case of the respondents that after abolition of *Zamindari,* the land in question had been vested with the State. As per the counter affidavit, the land in question was recorded as *Anabad Bihar Sarkar* in the Revisional Survey *Khatiyan*, and the petitioners also do not file any application under Section 87 of the Chota Nagpur Tenancy (CNT) Act, for its correction.

5.2. It is the stand of the State that since the land in question is a Government land and is in possession of the Government, there is no necessity of preparation of any Award in lieu of acquisition.

6. From the stand taken by the respondent – State in the counter affidavit, I find that they are stating that the petitioners do not have any title over the land in question. The aforesaid dispute cannot be resolved in an application under Article 226 of the Constitution of India, where the petitioners need to establish their right, title and interest over the property in question and the validity of the settlement.

7. Thus, with the aforesaid observations and with a liberty to the petitioners to approach the Civil Court of competent jurisdiction for declaration of their right, title and interest over the land in question, this Writ Petition stands **disposed of**.

(ANANDA SEN, J.)

02nd September, 2026
Prashant. Cp-2

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