

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12435 of 2016

Unesh Prasad Chourasia, Son of Late Mahtab Bhagat, Resident of Village-
Kamalpur, P.S. + District- Khagaria.

.... Petitioner

Versus

1. The State of Bihar, through the Collector, Khagaria.
2. The Deputy Development Commissioner, Khagaria.
3. The Executive Engineer (Rural Development Department) Work Division,
Khagaria.
4. The Block Development Officer, Alouli Block, District- Khagaria.
5. The Collector, Khagaria.

.... Respondents

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Advocate
Mr. Rakesh Kumar Shrivastava, Advocate
For the Respondent/s : Mr. Sudhir Kumar Singh, AC to SC-23

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT

Date: 02-09-2016

Learned counsel for the petitioner is permitted to implead
the District Magistrate-cum-Collector, Khagaria as respondent no.5 in
course of the day.

Heard parties.

The grievance of the petitioner is that his lands of Plot
Nos.2061, 2012, 2024 appertaining to Khata Nos.725, 764, 715
respectively have been utilized for construction of a village road by
the respondent no.3 without the consent of the petitioner or
acquisition in accordance with law.

Accordingly, I dispose of the writ application directing

the District Magistrate-cum-Collector, Khagaria to examine the matter. If it is found that the petitioner' land has been utilized in construction of a road, then steps should be taken either to acquire the land in accordance with law or to remove the construction therefrom so that the same is bring to its original form and nature.

It is expected that the entire exercise would be completed within a period of two months from the date of receipt/production of a copy of this order.

However, if a decision is taken to acquire the same, let the same be concluded and compensation in accordance with law be paid to the land owner within a period of four months.

However, if the District Magistrate finds that no portion or part of the land of the petitioner has been utilized then he would pass a reasoned order and communicate the same to the petitioner within the aforesaid period of two months.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	
Transmission Date	N.A.