

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.4502 of 2014**

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Lal Babu Singh Son Of Dharma Nath Singh Resident Of Village - Kotheya (Thana No. 315), P.S. - Derni, District - Saran

.... .... Petitioner/s

Versus

1. The State Of Bihar, through The Principal Secretary, Department Of Rural Development, Govt. Of Bihar, Patna
2. The Collector, Saran At Chapra
3. The Sub-Divisional Officer, Sonepur Sub-Division , At Sonepur, P.S. - Sonepur, District - Saran
4. The Planning Officer, Dariyapur Block, At P.O. And P.S. - Dariyapur, District - Saran
5. The B.D.O., Dariyapur Block, At P.O. And P.S. - Dariyapur, District - Saran
6. The Circle Officer, Dariyapur Anchal, At P.O. And P.S. - Dariyapur, District - Saran
7. The Mukhiya, Hariharpur Gram Panchayat, Village - Hariharpur, P.S. Derni, P.O. - Sutihar, District - Saran
8. Smt. Bibha Devi Wife Of Upendra Singh The Present Mukhiya Of Hariharpur Gram Panchayat, Village - Hariharpur, P.O. - Sutihar, P.S. - Derni, District - Saran

.... .... Respondent/s

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**Appearance :**

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|--------------------|---|------------------------------------------------------------------------|
| For the Petitioner | : | Mr. Nagendra Rai, Advocate                                             |
| For the State      | : | Mr. Chittranjan Sinha, PAAG II with<br>Mr. Sudish Kumar, AC to PAAG II |

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**

**ORAL JUDGMENT**

**Date: 17-11-2016**

Heard learned counsel for the parties.

The prayer in the writ petition is for directing the respondents not to disturb the peaceful possession of the petitioner

over his *raiya* lands.

Counter affidavit has been filed on behalf of respondents no. 2 to 6 in which copy of letter of the Circle Officer, Dariyapur dated 25.01.2014 to the In-charge Officer, District Public Grievance Cell, Saran, Chapra has been annexed in which it has been stated that the road in question is a private road and though work under MNREGA is proposed but no work is going on. Further, the letter of the local Mukhiya dated 29.06.2016 indicates that no work is proposed on the land in question, though the same is being used by the common man as a road.

In view of the aforesaid, the Court does not find any justification to keep the writ petition pending as the authorities are not interfering in the possession or nature of the land in question. Accordingly, the writ petition stands disposed off.

However, in future if any cause of action arises, the petitioner shall be free to approach the appropriate forum in accordance with law.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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