

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.25563 of 2013

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1. Manti Devi W/O Sri Bindeshwari Yadav R/O Village Bari Govindpur, P.S. Dharhara, District- Munger
2. Sheonandan Yadav @ Shivrandan Yadav S/O Late Bichho Yadav R/O Village Bari Govindpur, P.S. Dharhara, District- Munger

.... Petitioner/s

Versus

1. The State Of Bihar
2. District Magistrate, Munger or Collector, Munger
3. Deputy Development Commissioner, Munger
4. Additional Collector, Munger
5. S.D.O. Munger
6. D.C.L.R., Munger
7. Block Development Officer, Dharhara, Munger
8. Anchal Adhikari, Dharhara, Munger
9. Thanadhyaksh, Dharhara, Police Station, Munger
10. Sri Sanjay Yadav, Mukhia, Gram Panchayat, Raj Sarobagh, Dist. Munger

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. REWTI KANT RAMAN

For the Respondent/s : Mr. SUBHASH PD. SINGH, GA-3

Mr. Indeshwari Prasad, AC to GA 3

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 02-09-2016

Heard both sides.

A counter affidavit is filed on behalf of respondent nos.2 to 8.

Precisely, the grievance of the petitioner is that the respondents are constructing road under Pradhan Manti Gramin Sadak Yojna on the land of the petitioner without acquiring the land after paying fair compensation. Details of the land are mentioned in paragraph 4 of the writ application.

In the counter affidavit, the respondent-State has disputed the said claim of the petitioner. It is stated that a Kuchha road was in existence on the land in question since last several years. The people of the area wanted the road

to be constructed and, as such, the respondents have taken steps for construction of Dharhara-Jamalpur road upto Govindpur. In substance, the claim of the petitioner that no road existed on the land in question has seriously been disputed.

The dispute of this nature cannot be effectively resolved by this Court. It is stated that the petitioners shall ventilate their grievance(s) before the District Magistrate who may be directed to consider/examine the same in accordance with law.

Having regard to the submissions of the parties, the writ petition is disposed of permitting the petitioners to ventilate their grievance(s) before the respondent District Magistrate by filing a detailed representation. Once such representation along with a copy of this order is filed, I am sure, the respondent District Magistrate shall bestow consideration thereon and take effective steps as required of him towards redressal of their grievance(s) in accordance with law preferably within a period of 02 months from the date of filing/presentation of the same.

(Kishore Kumar Mandal, J)

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