

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6245 of 2013

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1. Gopal Bhagat son of Hira Bhagat resident of Mohalla Alamganj P.S. Sasaram District Rohtas
 2. Rajnath Mahto son of Late Ram Dahin Mahto, resident of Mohalla - Bhasiganj, P.S. Sasaram, District Rohtas
 3. Kedar Choudhary son of Shiv Muni Choudhary, resident of Village Damodarpur, P.S Karaghar District Rohtas
 4. Nesar Ahmad son of Sujat Ahmad, resident of Mohalla Zki Sahid P.S. Sasaram, District Rohtas
 5. Ram Surat Choudhary son of Shivpujan Choudhary resident of Mohalla Chamar Takiya P.S. Sasaram District Rohtas
 6. Vishwanath Choudhary son of Sukar Choudhary resident of Mohalla Chamar Takiya, P.S. Sasaram, District Rohtas
 7. Pradeep Kumar Singh son of Ram Bachan Singh RESIDENT OF Village Uchitpur, P.S. Karaghat District Rohtas

.... Petitioners

Versus

1. The State of Bihar
2. The Collector, Rohtas
3. The Deputy Development Commissioner, Rohtas
4. The Nagar Parishad, Sasaram through its Nagar Executive Officer, Nagar Parishad Sasaram
5. The Nagar Executive Officer, Nagar Parishad, Sasaram

.... Respondents

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Appearance :

For the Petitioners : None
For the State : Mr. Uday Prasad, AC to GP-22
For the Intervener : Mr. Siddhartha Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 28-10-2016

The present writ petition has been filed for quashing the letter no. 691 dated 14.03.2013 issued by the respondent no. 5, whereby and whereunder the petitioners were directed to vacate their respective shops within a week for construction of Bridge slip road; and for connected reliefs.

2. None appears on behalf of the petitioners despite repeated calls.

3. Learned counsel for the respondents opposes the writ petition, placing reliance on the counter affidavit to submit that the shops of the petitioners were situated at old G.T. Road and the then Special Officer, Municipality, Sasaram had no right to settle the land for construction of shops as such land belonged to the Road Construction Department, Bihar. Moreover, the representation of the petitioners dated 16.03.2013 (Annexure-4) shows that the petitioners themselves had requested for allotment of shops at some other suitable place.

4. The aforesaid stand of the respondents has not been controverted as no rejoinder to the counter affidavit has been filed on behalf of the petitioners.

5. Having regard to the facts and circumstances of the case, this Court is not inclined to grant any relief to the petitioners. The writ petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	28.10.2016
Transmission Date	N.A.