

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12166 of 2015

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1. Bahadur Singh Son of Late Rampati Singh
2. Keshwar Singh
3. Amarnath Singh
4. Radhe Shyam Singh Son of Late Nagina Singh
5. Mostt. Dhaneshwari Kuer, wife of Late Ramayan Singh, All residents of village- Pararia, P.O. and P.S.- Kochas, District- Rohtas at Sasaram

.... Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Government of Bihar, Patna
3. The District Collector, Rohtas at Sasaram
4. The Circle Officer, Kochas, P.O. & P.S.- Kochas, District- Rohtas

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ras Bihari Thakur

For the Respondent/s : Mr. Aag15- Yogendra Pd. Sinha

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 16-08-2016 Heard the counsel for the petitioners as well as the State.

In spite of indulgence granted to the respondents-State,
no counter affidavit is filed.

The writ application prays for a direction commanding the respondents to stop construction work of proposed building of Kochas Block and Anchal Office over the land of the petitioner bearing R.S. Plot no. 182, R.S. Khata No. 45 an area 12 decimals (out of total 75 decimals). It is claimed that the said land is the raiyati land of the petitioners. The respondents without taking any steps for acquisition thereof have proposed

to make construction of the Government building over the land of the petitioner. Annexure-9, is an order dated 05.01.2015, passed in C.W.J.C. No. 10953 of 2014. It is stated that in similar facts the aforesaid writ petition was filed and disposed of granting relief to the petitioners. The land of the citizen cannot be forcibly utilized in the manner indicated in the writ petition.

Looking to the pleadings on record as also the order dated 05.01.2015 passed in C.W.J.C. No. 10953 of 2014, I am inclined to dispose of the writ application by directing the respondents particularly the District Collector, Rohtas at Sasaram as well as the Circle Officer, Kochas to stop the proposed construction over the land of the petitioner until on a representation filed by the petitioner before the respondent-District Collector, Rohtas at Sasaram, an inquiry is made and the said representation is disposed of by a reasoned order in accordance with law.

(Kishore Kumar Mandal, J)

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