

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8213 of 2014

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1. Raja Ram Prasad, S/O Late Bindeshwari Prasad, R/O Village- Godana,
P.S.- Rivilganj, District- Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar
2. The Divisional Commissioner, Saran at Chapra
3. The District Magistrate, Saran at Chapra
4. The Sub-Divisional Officer Saran at Chapra
5. Smt. Baby Singh @ Sangita Singh, W/o Not Known to the Petitioner,
Mukhiya, Gram Panchayat Raj Mohabat Parsa, P.S. Rivilganj, District-
Saran at Chapra

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raghwendra Kumar

For the Respondent/s : Mr. Ga4- Ashok Priyadarshi

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 24-10-2016

Heard the counsel for the petitioner and the State.

In substance, the grievance is that the respondents are constructing public road/sewerage over the raiyati land of the petitioner in Mauza-Repura Godana, under khata no.59, measuring a total area of 3 Bighas, 4 katha, & 11 Dhurs. Such construction is being made without acquiring the land and against the order passed by the learned Trial Court (learned Sub Judge-II, Chapra) in Title Suit no. 404 of 2000 wherein parties were directed to maintain status quo with respect to the subject –land. The copy of the order passed by the learned Trial Court is, however, not enclosed.

If there is a breach of the order passed by the Court, the petitioner can always approach the Court for initiating punitive action against the defendants in accordance with law. The petitioner is granted the said liberty. However, if the land of the petitioner is being used forcibly by the State respondents for construction of public road, the petitioner is also entitled to represent the said grievance before the respondent- District Magistrate for consideration and disposal in accordance with law. If any such application is filed within three weeks from today, I am sure, the respondent -District Magistrate will consider the said representation, make appropriate enquiry if deemed necessary and take appropriate decision/action thereon as quickly as possible preferably within 03 months of such filing/presentation.

The application is disposed of.

(Kishore Kumar Mandal, J)

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