

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3688 of 2017

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Uma Shankar Pandey, Son of late Baldaujee Pandey, Resident of Village & P.O.
Badka Rajpur, P.S.-Simri, District-Buxar.

.... Petitioner.

Versus

1. The State of Bihar, through the Principal Secretary, Department, of Revenue,
Government of Bihar, Patna.
2. The District Magistrate, Buxar.
3. The Superintendent of Police, Buxar.
4. The District Programme Officer, Buxar, Dist-Buxar.
5. The Executive Engineer, Local Area Engineering Organization, Work Division,
Buxar
6. The Circle Officer, Simri Circle, Buxar,

.... Respondents.

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Appearance :

For the Petitioner : Mr. Ambuj Nayan Chaubey, Advocate.

For the State : Mr. RAJ KISHORE ROY-GP18

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL JUDGMENT

Date: 17-05-2017

Heard learned counsel for the petitioner as well as learned
counsel for the State.

2. Petitioner has filed this writ petition for issuance of
direction to the concerned respondents to stop construction of PCC
road on Khatiyani lands of the petitioner and also for grant of
compensation to him.

3. The grievance of the petitioner is that plot nos.1486,
1487, 1488 and 1489 appertaining to Khata No.150 of village- Rajpur



Kala, measuring an area of 4 bighas are Raiyati lands of the petitioner but without any acquisition, the respondents started construction of the road on some portions of the aforesaid lands and, thereafter, petitioner raised his grievance before the local M.P, who directed the concerned authorities to look into the matter and pass appropriate order. Thereafter, the District Programme Officer, Buxar, vide his letter no. 21-0015 dated 14.01.2017 requested the concerned Executive Engineer, Local Area Engineering Organization, Buxar, to direct the concerned contractor to stop the construction work and remove the materials accumulated on the portion of the lands of the petitioner but, even then, the concerned contractor did not stop the construction work nor remove the materials accumulated on the portion of the lands of the petitioner. Thereafter, the petitioner approached the District Magistrate, Buxar, by filing several representations but all went in vain.

4. In view of the aforesaid facts as well as submissions of the parties, this writ petition stands disposed of giving direction to the District Magistrate, Buxar, to dispose of the representations filed by the petitioner in accordance with law within three months from the date of receipt/ production of copy of this order. However, till disposal of representations filed by the petitioner before the District



Magistrate, Buxar, the concerned authorities are restrained from making any construction on the disputed plots.

(Hemant Kumar Srivastava, J)

N.K/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

