

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8770 of 2017

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Bijay Prasad, Son of Late Gobardhan Prasad, residing at Gordhoba, P.S. Deep Nagar, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The District Magistrate, Nalanda at Biharsharif.
4. The District Land Acquisition Officer, Nalanda at Biharsharif.
5. The General Manager (Technical) National Authority of India Project Implementation Unit Patna D- 63 Sri Krishnapuri, Patna- 1.
6. The Manager (Technical), National Authority of India Project Implementation Unit Patna D- 63 Sri Krishnapuri, Patna- 1.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Respondent/s : Mr. Anjani Kumar- AAG 4

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 28-07-2017

This petition has been filed in public interest and it is stated that National Highway No.82 between Biharsharif and Barbiga-Mokama Khand is being constructed in plot No.19 in Tungi Mauja contrary to the Notification issued under the National Highways Act and without conducting proper acquisition proceedings near a river the National Highway is being constructed and certain part of the river is filled up by soil and sand to enable construction of the National Highway.

The National Highway is being constructed after issuance



of a Gazette Notification, Annexure-1 on December 15, 2014 and alignment of the National Highway is determined by the expert authorities based on opinion and expert evaluation done. That being so, once the statutory authority is discharging its function in accordance to the requirement of law on the grounds canvassed in the writ petition, we find no reason to make any indulgence. The petition stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.08.2017
Transmission Date	

