

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18326 of 2014

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Md. Wahid Miya Son of Md. Abdul Rahman Resident of Village - Kadirganj, P.S.
Town Nawada, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Nawada
3. The District Development Commissioner, Nawada
4. The Sub - Divisional officer, Nawada
5. The Block Development Officer, Nawada
6. The District Programme Officer, Nawada
7. The Circle Officer, Nawada
8. The Superintendent of Police, Nawada
9. Geeta Devi Wife of Arjun Prasad Resident of Village - Kadirganj, P.S. Town
Nawada, District - Nawada

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Adv.
Mr. Surendra Kishore Thakur, Adv.
For the Respondent/s : Mr. Ashok Kumar, SC11
For the Resp. No.9 : Mr. Sanjany Kumar Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 18-10-2017

Heard learned counsel for the petitioner and counsel for the
State.

In this case, the petitioner has submitted that it is his land
over which the road is being constructed. Originally, the land was of
his forefather but, certain portion of the land measuring 10 decimal
was sold by him to Gita Devi and the petitioner has given rest of the
land for construction of the road which is being objected by Gita
Devi. Gita Devi had earlier approached this Court in C.W.J.C. No.



2813 of 2014 wherein an allegation was made by her that the road was being constructed over her Raiyati land and this Court passed order that no road will be constructed over the Raiyati land of Gita Devi.

If the land, in question, is Raiyati land of Gita Devi, the question of construction of road does not arise but, the authority will be at liberty that they can construct road apart from the land of Gita Devi, if there is any dispute, the person concerned can take recourse as is available in law. If an application is filed before the appropriate authority, the action will be taken in accordance with law.

With the aforementioned observation, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.11.2017
Transmission Date	NA

