

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 7840 of 2016

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Devendra Prasad Yadav Son of late Singheshwar Yadav Resident of Village
Zafar Nagar, P.O. Zafar Nagar, PS Mufassil, District Munger.

.... Petitioner

Versus

1. The State of Bihar through its Chief Secretary Govt. of Bihar, Patna.
2. The District Magistrate, Munger
3. The District Land Acquisition Officer, Munger.
4. The Director, Inter State Water Transport Authority, Mahendru Ghat
Patna -4

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ram Niwas Prasad, Adv.
For the State : Mr. Indradeo Prasad, SC-27
Mr. Sunil Kumar Singh, AC to SC 27.

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

2 14-02-2017 This matter has been listed out of turn on the prayer of
the petitioner.

Heard the parties.

3.40 acres land of the petitioner bearing Khata No.
257, Khesra No. 663/711 was acquired in Land Acquisition Case
No. 14/87-88 for construction of water terminal but even after
lapse of three decades, the aforesaid construction could not be
completed and the grievance of the petitioner is that now the
concerned authorities want to use the aforesaid land for other
purposes but according to law, the concerned authorities have no
right to use the aforesaid acquired land for other purposes.



Annexure-1 to the petition goes to show that in the year 2009, petitioner filed CWJC No. 17352 of 2009 which was disposed of by a co-ordinate Bench of this court vide order dated 11.12.2009 giving direction to the Collector, Munger to consider the representation filed on behalf of the petitioner within a period of three months from the date of receipt/production of copy of aforesaid order.

Submission on behalf of the petitioner is that representation of the petitioner was not considered by the Collector, Munger nor any order was passed on the aforesaid representation. However, petitioner again came before this court by filing CWJC No. 4051 of 2011 but in course of hearing, petitioner withdrew the aforesaid petition with liberty to take recourse to other remedies. Learned counsel for the petitioner further submits that again petitioner filed a representation on 16.02.2016 before the District Magistrate, Munger but no order was passed on the aforesaid representation of the petitioner and thereafter petitioner has filed this writ petition.

Learned counsel appearing for the State submits that he has no instruction regarding pendency of representation petitions of the petitioner.

In view of the aforesaid facts and circumstances, this



writ petition stands disposed of giving direction to the District Magistrate, Munger to pass reasonable and speaking order on the representation dated 16.02.2016, filed on behalf of the petitioner within four weeks from the date of receipt/production of copy of this order, failing which the petitioner shall be entitled to take necessary legal steps against the failure of the District Magistrate, Munger.

(Hemant Kumar Srivastava, J)

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