

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14731 of 2017

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Anil Kumar Sudhakar son of Shri Kashi Nath Gupta, resident of Village & Post- Chilhas, P.S.- Sandesh, District- Bhojpur at Arrah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Road Construction Department, Govt. of Bihar, Patna.
2. The Chief Engineer, Road Construction Department, Govt. of Bihar, Patna.
3. The Executive Engineer, Null, Road Construction Department, Bhojpur, Arrah.
4. The Superintending Engineer Null, Road Construction Department, Bhojpur, Arrah.
5. The Assistant Engineer, Null, Road Construction Department, Bhojpur, Arrah.
6. The Collector, Bhojpur, Arrah.
7. The Land Acquisition Officer, Bhojpur, Arrah.
8. The Circle Officer, Sandesh, Bhojpur, Arrah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Dr. Anshuman

Mr. Sanjay Kumar

For the Respondent/s : Mr. Jitendra Kumar, AC to AAG11

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-11-2017 Heard learned counsels for the parties.

The petitioner is aggrieved by the acquisition of his residential house appertaining to Khata No. 166, Plot No. 3376 situated in Village Chilhas District Bhojpur for widening and construction of State Highway 81, which runs from Sakaldiha to Nasriganj.

It is submitted by learned counsel for the petitioner that initially the residential house of the petitioner was marked for demolition and being aggrieved by the same the petitioner preferred CWJC No. 23301 of 2011 which was disposed of vide



order dated 30.1.2012 by a bench of this Court directing the Circle Officer to make an enquiry regarding the title of the petitioner on the land in question within a period of two months on receipt/production of a copy of the order and till the enquiry is concluded, the Executive Engineer, Road Construction Department was directed to leave that portion of the house of the petitioner. Consequently, the area of the land was measured and the report of Circle Officer, Sandesh dated 31.3.2012, as contained in Annexure 2 suggests that the petitioner has not encroached the land in question. Thereafter, a proposal was made to acquire the land of the petitioner. It is further submitted by learned counsel for the petitioner that there is vacant land on the other side of the road and that Land Acquisition proceeding has started in the area. The petitioner submitted representation before the Land Acquisition Officer, Ara through registered post on 21.9.2017 with a copy to the Circle Officer, Sandesh, the Collector, Bhojpur, The Principal Secretary, The Chief Engineer, Road Construction Department, Bihar, Executive Engineer, The Superintending Engineer, Assistant Engineer, Road Construction Department, Ara, as contained in Annexure 4. Hence, the petitioner confines his prayer at the present for disposal of the representation as contained in Annexure 4.



In view of the fact that the acquisition proceeding has been initiated, this writ application is disposed of with a direction to the respondent no.7, the Land Acquisition Officer, Bhojpur, Ara to consider the objection of the petitioner in true perspective in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(Dinesh Kumar Singh, J)

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