

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 494 of 2017

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Raj Kumar Sinha, Son of late Rajeshwar Prasad Sinha, Resident of Village +P.O.- Maheshpur, Police Station- Bhagwanpur, District- Begusarai and at Present residing in Mohalla- Buddhagar, Road No. 2, Postal Park, Chiraiyatad, P.S.- Kankarbagh, District- Patna.. Petitioner.

Versus

1. The State of Bihar
 2. The District Magistrate, Begusarai.
 3. The Sub- Divisional Magistrate, Teghra, Begusarai.
 4. The Land Reforms Deputy Collector, Teghra, Begusarai.
 5. The Block Development Officer, Bhagwanpur, Begusarai.
 6. The Circle Officer, Bhagwanpur, Begusarai.
 7. The Officer-in-Charge, Bhagwanpur, Police Station, Begusarai.
- Respondents.

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Appearance :

For the Petitioner : Mr. Suresh Kumar, Adv.

For the Respondents: Mr. Sajid Alam Khan- SC25

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 03-02-2017

Heard learned counsel for the petitioner and the State.

It is a very serious matter in which it is claimed by the petitioner that, without acquisition of his land in accordance with law, a community hall has been constructed by the respondent authorities on the part of the land of the petitioner bearing Plot Nos. 1137 and 1138, Tauzi No. 5910, Khata No. 290 of Mauza Maheshpur under Bhagwanpur Block, District Begusarai even though petitioner has represented before the District Magistrate vide Annexure-P-7 regarding the aforesaid fact.

Accordingly, this writ petition stands disposed of with a direction to the District Magistrate, Begusarai to take a



decision upon the representation filed by the petitioner vide Annexure-P-7. He should ensure measurement of land of the petitioner either in his presence or in the presence of this representative. If it is found that the part of the land of the petitioner has been utilized for construction of community hall then the options for the respondent authorities would be either to acquire the aforesaid land in accordance with law and pay compensation to the petitioner or to remove the construction from the land of the petitioner.

The aforesaid exercise should be completed within a period of two months from the date of receipt/production of a copy of this order. Till such decision is taken, no further construction should be made on the claimed plots.

However, it is made clear that if it is found that no part of the petitioner’s land has been utilized for construction of the community hall then a reasoned order would be required to be passed by the District Magistrate, Begusarai within the aforesaid period and that should be communicated to the petitioner immediately.

(Dr. Ravi Ranjan, J.)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.02.2017
Transmission Date	NA

