

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1529 of 2015

IN

Civil Writ Jurisdiction Case No. 399 of 2013

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Chandra Bhushan Prasad Sharma son of Sri Trijugi Narayan Singh, resident of
Mohalla- Bus Stand, Rajgir, Police Station- Rajgir, District- Nalanda

.... Appellant/s

Versus

1. The State of Bihar
2. The District Magistrate, Nalanda at Biharsharif
3. Executive Engineer, P.W.D. Nalanda at Bihari Sharif
4. Sub-Divisional Officer, P.W.D., Sub Division-Rajgir, Near Bus Stand Rajgir,
Police Station- Rajgir, District- Nalanda

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manish Kumar No-2
For the Respondent/s : Mr. Kameshwar Kumar, GP-17
Mr. Sanjay Kumar, AC to GP-17

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 12-01-2017

Heard learned counsel for the parties.

The delay of 11 days is condoned.

I. A. No. 6843 of 2015 is allowed.

The grievance of the petitioner is for a direction upon
the respondent-State authorities to remove the construction over the
piece of land, which at one point of time was acquired for expansion
of road, has been well considered by the Learned Single Judge and
the factual position rightly culled out from the counter affidavit and
reproduced as part of the order. Since none of those positions were



controverted by the petitioner, the Learned Single Judge refused to pass any order in the writ application in favour of the present appellant, who was also the petitioner.

If the petitioner is serious about the issue, he may move a civil court of competent jurisdiction. However, since the order of the Learned Single Judge does not suffer from any infirmity, in the given facts, no interference is warranted.

This appeal is dismissed, accordingly.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
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