

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18808 of 2017

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1. Laxmi Mahto Son of Late Gaunar Mahto
2. Devendra Prasad Son of Ram Sundar Mahto Both residents of village - Kona Patti, Lakhnaur, P.S. Lakhnaur, District - Madhubani.

.... Petitioners

Versus

1. The State of Bihar through the Collector, Madhubani.
2. The Collector, Madhubani.
3. The District Land Acquisition Officer, Madhubani.
4. The Circle Officer, Lakhnaur Circle, District Madhubani.
5. The Chief Medical Officer-cum-Civil Surgeon, Madhubani.

.... Respondents

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Appearance :
For the Petitioner/s : Mr. Suraj Narain Yadav
For the Respondent/s : Mr. SAJID SALIM KHAN - SC-25

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL JUDGMENT

Date: 02-04-2018

Heard both sides.

The case was adjourned twice at the instance of learned counsel for the State for filing counter affidavit but the State failed to file counter affidavit.

Learned counsel for the State submits that he informed the respondents' authorities but nobody turned up.

The petitioners have filed this writ petition for a direction to the respondents not to construct referral hospital over the lands of C.S. Khata No.590, C.S. Khesra No.307, Area 2 Bigha 9 katha and 5 dhur, situated at village Lakhnaur, Circle and P.S. Lakhnaur, District-Madhubani. The lands belong to the petitioners and his co-sharers and



without taking any step for acquisition of the aforesaid lands, the authorities respondents started construction of referral hospital.

In view of this fact, this writ petition is disposed of with direction to the authority not to construct any referral hospital on the lands of C.S. Khata No.590, C.S. Khesra No.307, Area 2 Bigha 9 katha and 5 dhur of the petitioners. The aforesaid C.S. Plots were numbered in revisional survey Plot No.468, 469, 470, 471, 472, 473, 474, 475, 476 and 477 and they were allotted to the petitioners and other co-sharers.

With this observation, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

Amit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.04.2018
Transmission Date	NA

