

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11197 of 2018**

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1. Dheeraj Kumar, Son of Surendra Sharma, Resident of Village+P.O.- Arhwan, P.S. Wazirganj, District- Gaya.
  2. Anjali Shandilya, W/o- Dheeraj Kumar, Resident of Village+P.O.- Arhwan, P.S. Wazirganj, District- Gaya.
  3. Deepak Kumar, Son of Surendra Sharma, Resident of Village+P.O.- Arhwan, P.S. Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Government of Bihar, Patna.
2. The District Magistrate, Gaya.
3. The Executive Engineer, Rural Works Department, Gaya Division, Gaya.
4. The Junior Engineer, Rural Works Department, Block- Wazirganj, District- Gaya.
5. The Circle Officer, Wazirganj, District- Gaya.
6. Shambhu Nath Singh( Constrator) Son of Sidheshwar Singh Resident of Village- Milky, P.S. Wazirganj, District- Gaya.
7. Parashnath Singh (Ex- Mukhiya- Poora Gram Panchayat) Son of late Bachu Singh Resident of Village+P.O.- Arhwan, P.S. Wazirganj, District- Gaya.
8. Sanjith Kumar Son of Parashnath Singh Resident of Village+P.O.- Arhwan, P.S. Wazirganj, District- Gaya.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Amish Kumar, Adv.<br>Mr. Kaushal Kishore Jha, Adv.<br>Mr. Prince Kumar Mishra, Adv. |
| For the Respondent/s | : | Mr. Kumar Alok SC-7                                                                     |

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL JUDGMENT**

**Date : 27-06-2018**

Heard Mr. Kaushal Kishore Jha, learned counsel for the petitioners and Mr. Vijay Bhaskar, learned AC to SC-7 for the respondent-State.

The present writ application has been filed for the direction to respondent authorities not to divert the alignment of the road which was sanctioned from Village Arhwan to Village Billon, as shifting of alignment leads to substantially encroaching



land of the petitioners, appertaining to Khata No.84, Plot No.1501, situated in Village Arhwan, Wazirganj, District Gaya, over which the petitioners have got sanctioned Mineral R.O. Water Plant. However, learned counsel for the petitioners confines his prayer for disposal of the representation submitted before Respondent No. 2, the District Magistrate, Gaya, on 29.05.2018, as contained in Annexure-3 (series).

Learned counsel for the petitioners submits that shifting of the alignment of the road is contrary to the sanctioned plan and in spite of representation pending before the District Magistrate, the road is sought to be constructed on the land of the petitioners without any technical sanction/approval or without acquisition of the land of the petitioners.

Learned counsel for the respondent-State submits that if the representation of the petitioners has not been disposed of till date, it will be disposed of within a time frame.

Considering the rival submissions of the parties, without expressing any opinion on the claim of the petitioners, it is expected from Respondent No.2, the District Magistrate, Gaya, to dispose of the representation of the petitioners dated 29.05.2018, as contained in Annexure-3 (series), within a period of four weeks from the date of receipt/production of the copy of this order.



Till then, status quo, as is existing today, with regard to the land in question, shall be maintained.

Accordingly, with above observations and directions the present writ application is disposed of.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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