

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15658 of 2015

1. Lal Babu Singh Son of Late Ram Kripal Singh,
2. Vijay Kumar Nirala Son of Late Ram Kripal Singh, Both
resident of village - Bihwarpur, Police Station - Bidupur,
District -Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Government of Bihar.
3. The State of Bihar through Principal Secretary, Education Department, Patna.
4. The District Magistrate, Vaishali.
5. The Sub Divisional Officer, Hajipur, Vaishali.
6. The District Education Officer, Vaishali.
7. The Land Acquisition Officer, Vaishali.
8. The Block Development Officer, Bidupur, District - Vaishali.
9. The Block Education Officer, Bidupur Vaishali.
10. The Circle Officer, Bidupur, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramod Rajpati
For the Respondent/s : Mr. Gp29 - S.Paswan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-11-2018 Heard the learned counsel for the petitioners and the
learned counsel for the State.

The petitioners have filed this writ petition for a
direction to the District Magistrate, Vaishali either to make
payment of compensation or remove the encroachment from the
land of the petitioners bearing Khata No.55(Old), 83(New),
Khesra No.155(Old), 203(New).

The learned counsel for the petitioners submits that
the mother of the petitioners purchased the land from the
landlord and got her name mutated but the State Government
without acquiring the land started constructing a school



building. The State has filed counter affidavit and admitted in para 6 of the counter affidavit that there is a Jagdamba Asthan on the land of Khata No.55, Khesra No.155 and a community hall in the name of Dr. Bhimrao Ambedkar constructed from the fund of the Member of Parliament.

It appears from perusal of the counter affidavit that no school is situated on the land of the petitioners. School is going on in the community hall alleged to have been constructed on the land of the petitioners.

Considering the facts aforesaid, I direct the District Magistrate, Vaishali to look into the matter and pass order on the petition filed by the petitioners on 14.07.2015 and get the land of the petitioners measured. If any construction is made over the land of the petitioners, the District Magistrate shall take appropriate step for removal of encroachment within four months from the date of receipt of this order.

With the aforesaid direction, the writ petition stands disposed of.

(Prabhat Kumar Jha, J)

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