

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1284 of 2017

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Anil Kumar Verma, Son of Vijay Prasad, Resident of Village-Nazari, Police
Station Laxamipur, District Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering
Department, Bihar, Patna.
2. The Collector, Jamui.
3. The Circle Officer, Laxamipur.
4. The Circle Officer, Barhat , Jamui.
5. The Executive Engineer, Public Health Engineering Department, Jamui.
6. Raj Kumar Singh Son of Late Ankeshwar Singh, Resident of Village-
Manghrain, P.O. Neem Nawada, P.S. Khaira, District Jamui.
7. Pradeep Singh Son of Late Rajnath Singh, Resident of Retired Railway
Colony, Jhajha, P.S. Jhajha, District Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, advocate
For the Respondent/s : Mr. S.Raza Ahmad-AAG5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 05-09-2018 By filing this petition under Article 226 of the

Constitution of India, the petitioner has prayed for appropriate
writ/s, order/s and direction/s upon the respondents to stop the
work, which has been given to the Contractor, i.e., the Executive
Engineer, PHED, Jamui for construction of Mini Pipe Water



Supply Project.

It is the case of the petitioner that the part of the land belong to the petitioner and that without payment of any compensation and/or for acquisition of the land, the respondents have illegally started construction on the land in question.

In response to the notice issued by this Court, the respondent State authorities have appeared and filed the counter affidavit, in which it is specifically stated along with the supporting documents that the land on which the work is going on has been gifted / donated by the petitioner along with the other persons. But the same is disputed by the petitioner. However, the Stamp Paper contain the signature of the petitioner, namely, Anil Kumar Verma.

In reply to the counter affidavit, it is stated that there is no written gift deed in favour of His Excellency, the Governor. However, the fact remains that in the deed on Stamp Paper, the signature of the petitioner along with other villagers, are there, which reflects that the land has been gifted for public purpose / Mini Pipe Water Supply Scheme.

Under the circumstances, it cannot be said that the construction put up by the agency of the petitioner for construction of water pipe line is actually illegal.



Under the aforesaid facts and circumstances, there is
no substance in the writ petition. The same is dismissed.

(Mukesh R. Shah, CJ)

(Ashutosh Kumar, J)

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