

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17476 of 2018

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Rajeev Nayan Jha, Son of Kamal Nayan Jha, Resident of Village-Kanakpur,
Ward No.9, P.S. Sakatpur, District-Darbhanga.

... .. Petitioner/s

Versus

1. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Secretary, Land Reforms, Government of Bihar, Patna.
3. The Engineer-in-Chief, Road Construction Department, Government of Bihar, Patna.
4. The Collector, Darbhanga, District-Darbhanga.
5. The Deputy Collector, Land Reforms, Darbhanga, District-Darbhanga.
6. The Sub-Divisional Officer, Darbhanga, District-Darbhanga.
7. The Circle Officer, Manigachhi, District-Darbhanga.
8. The Executive Engineer, P.W.D. Benipur Division Darbhanga, District-Darbhanga.
9. R.K.S. Engicom Private Limited, Adya Niwas, Kavi Raman Path, Boring Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha
For the State : Mr. Subodh Kumar, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Following relief is sought for by the petitioner in the
present writ application:

*“For issuance of a writ in the nature of
mandamus to command the respondents
authorities to vacate a piece of land of the
petitioner situated at Mauza Kanakpur,
Circle Manigachhi Thana No. 201, old
Khesra No. 961, Old Khata No. 89, New
Khata No. 171 and 534 new Khesera No.
1091 and 1092 Rakwa about 1.5 Katha,
forcibly taken by the contractor of the road*



for wide construction of the road go through adjacent East side from the land of the petitioner without any information or acquire the land of the petitioner whereas a piece of land situated East side of the land wide about more than 40 feet and long as require encroached by the General people bearing Khesera No. 1270, 1272, 1273 and Kishm of land is "Anawad Sarv Sadharan" further for direction upon the respondents to not disturb the petitioner from the rightful enjoyment of his land".

The petitioner has filed a representation vide Annexure-5 series before the Collector, Darbhanga (respondent No. 4) for redressal of his grievance. It has been submitted on behalf of the petitioner that approximately 1.5 Katha of land, belonging to the petitioner, has been taken for widening the road without initiation of any land acquisition proceeding. The said representation is pending.

Considering the facts and circumstances of the case, the Collector, Darbhanga is directed to enquire into the matter and dispose of the said representation, filed on behalf of the petitioner, in accordance with law within a period of 60 days from the date of receipt/production of copy of this order and, if, he finds that the land of the petitioner has been taken for widening the road without initiation of any proceeding under the Land Acquisition Act, the respondent No. 4 shall ensure that



appropriate steps be taken under the Land Acquisition Act and the compensation amount, if so entitled, be paid to the petitioner, at the earliest.

With the aforesaid observation/direction, this writ application stands disposed of.

(Sudhir Singh, J)

A.K.V.//-

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