

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.679 of 2017

In

Civil Writ Jurisdiction Case No.2672 of 2016

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Balram Kapri Son of Late Sahdeo Kapri, Resident of Village-Durgapur,
Police Station-Bounsi, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar Through Mr. Binay Kumar, son of not known to the petitioner, the Principal Secretary, Rural Work Department, Government of Bihar, Patna
2. Engineer. Mr. Kamlesh Choudhary, son of not known to the petitioner, the Engineer in Chief, Rural Work Department, Government of Bihar, Patna.
3. Mr. Dr. Nilesh Deoers Son of not Known to the Petitioner the District Magistrate, Banka,
4. Mr. Rajeev Ranjan, son of not known to the petitioner, the Superintendent of Police, Banka.
5. Mr. Aditya Kumar Jha son of not known to the petitioner, the District Land Acquisition Officer, Banka.
6. Mr. Pramod Kumar Singh, son of not known to the petitioner, the Executive Rural Work Department, Work Division Banka, District-Banka
7. Mr. Abhish Kumar son of not known to the petitioner, the Sub-Divisional Officer, Banka
8. Mr. Amar Kumar, son of not known to the petitioner, the Block Development Officer, Bounsi, District-Banka.
9. Mr. Sanjeev Kumar, son of not known to the petitioner, the Circle Officer, Bounsi, District-Banka

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	M/s K.N.Choubey, Sr. Advocate and Vijay Kumar, Advocate
For the State	:	M/s P K SHAHI - AAG 6 and Ravindra Kumar AC to AAG 6

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date : 23-03-2018

Heard learned counsel for the petitioner and the State.

In view of the stand taken by the State as well as the petitioner in the subsequent affidavit, it is apparent that the measurement has been done but the petitioner is not satisfied with



that. However, it is also apparent that a reasoned order was passed earlier but the measurement was made once again in view of the direction of this Court and, thereafter, no fresh order has been passed.

In such a situation, it would be desirable that a fresh reasoned order would be passed by the District Magistrate concerned, within a period of four weeks from the date of receipt / production of a copy of this order, in compliance of Annexure 1, which is also an earlier order, as the petitioner would have a right to assail the same before the competent forum.

With this observation and direction this application stands disposed of.

This is made clear that this Court has not formed any final opinion with respect to the measurement done or the claim of the petitioner and as such the petitioner would be at liberty to assail the same before a competent forum, if so advised.

(Dr. Ravi Ranjan, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.03.2018
Transmission Date	NA

