

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2437 of 2019

=====

Sushma Kumari wife of Sri Hareram Kumar resident of Village- Balha (Barka gaon), Sub- Division- Maharajganj, P.S.- Bhagwan pur, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary Road Construction Department, State of Bihar, Patna.
2. The District Magistrate-cum- Collector, Siwan.
3. The Sub- Divisional Officer, Sub- Division Maharajganj, District- Siwan.
4. The Circle Officer, Anchal- Gorea Kothi.
5. The Executive Engineer, Road Construction Department (Path Nirman Vibhag) District- Siwan.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Raju Prasad

For the Respondent/s : Mr.Manoj Kr. Ambastha (SC26)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-02-2019

Heard the parties.

In the present writ application, the petitioner has prayed for issuance of directions to the respondents to stop the construction of road in some part of own purchased and raiyati plot of the petitioner as in around 70 sft of his plot without processes of government acquisition and without giving compensation and without making physical measurement of site, which is being made on petitioner's plot khata No.280, survey plot No.1330, Tauji No.5458, thana No.67 in Mauja Gorea Kothi, Sub Division Maharajganj, District Siwan, under the 'Mukhya Mantri Vikas Yojna'. The petitioner has further prayed for issuance of appropriate direction commanding the respondents to give proper compensation under the law, after



fulfilling all processes of acquisition and land acquisition Act, and if the government respondent is in need of extra land for construction or for widening of the road, if it is not done, the respondents may be restrained from construction of road in aforesaid petitioner's land.

The above mentioned land in question belongs to the petitioner. The respondents authorities are constructing road upon the said land without any acquisition process or giving any compensation to the petitioner. For the same, the petitioner had filed a representation before the Respondent No.2 i.e. The District Magistrate-cum-Collector, Siwan vide Annexure 4 to the present application, but till date nothing has been done on the part of the respondents.

Considering the reliefs sought for in the present writ application, the petitioner is directed to file a fresh representation before the Respondent No.2 i.e. The District Magistrate-cum-Collector, Siwan within a period of 30 days from today. The Respondent No.2 i.e. The District Magistrate-cum-Collector, Siwan shall consider the grievance of the petitioner and pass an appropriate order in accordance with law within a period of five months from the date of filing of such representation.



With the aforesaid observation and direction, the
present writ application stands disposed of.

(Sudhir Singh, J)

Narendra/-

U			
---	--	--	--

