

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4551 of 2019

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Lakshmi Devi, aged about 69 Years, Female, W/o Yadu Sah Resident of Vill.-
Salempur, Anchal and P.S.- Mahesi, Distt.- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar the Secretary, Department of Rural Works, Govt. of Bihar, Patna.
2. The Secretary, Department of Rural Works, Govt. of Bihar, Patna.
3. The Collector, East Champaran at Motihari.
4. The District Land Acquisition Officer, East Champaran at Motihari.
5. The Executive Engineer, Rural Works Division, East Champaran at Motihari.
6. The Sub Divisional Officer, Chakia, East Champaran.
7. The Anchaladhikari, Maheshi Anchal, Distt.- East Champaran.
8. The Prakhand Vikash Padadhikari, Maheshi, Distt.- East Champaran.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Suresh Prasad Bhakta, Advocate.
For the Respondents : Mr.P.N.Shahi, A.A.G. 6.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-03-2019 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The following relief has been sought for on behalf of
the petitioner in the present writ application.

“1. For issuance of an appropriate writ/order/direction commanding the respondent authorities to remove the encroachment from the land in question which details are mentioned in para 6 of this writ application encroached by the authorities concerned by constructing road.”

It is submitted by learned counsel for the petitioner



that the petitioner has apprehension that the road in question is being constructed over Plot No.229 under Khata No. 175.

A composite counter affidavit has been filed on behalf of the respondent nos. 3,4, 6 and 7 and a separate counter affidavit has been filed on behalf of the respondent nos. 1, 2 and 5. Let it be kept on the record. The statement made in paragraph no. 4 of the counter affidavit filed on behalf of respondent nos. 3, 4, 6 and 7 is as follows:-

“4. That on receipt of the writ application, the road concerned was got measured and plot of the petitioner vide Plot No. 229 situated under Mauza-Salempur was demarcated. On measurement, it has been found that the road in question is being constructed over the government land vide Plot No. 199 under Mukhyamantri Gram Sampark Yojna and no portion of raiyati land under Plot No. 229 or any other raiyati plot is used in the road.”

Considering the statement made in paragraph no. 4 of the counter affidavit filed on behalf of respondent nos. 3, 4, 6 and 7, no further relief remains to be granted to the petitioner.

Accordingly, the present writ application stands disposed of.

(Sudhir Singh, J)

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