

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4131 of 2019

1. Anjani Kumar son of Late Rambilash Singh Resident of Village- Kharsariya, Post- Damoderpur Baldha, P.S. Nagarnausa, District- Nalanda, PIN- 801305.
2. Shakti Kumar Prabhakar son of Late Rambilash Singh Resident of Village- Kharsariya, Post- Damoderpur Baldha, P.S. Nagarnausa, District- Nalanda, PIN- 801305 at present Rukminismiriti Kharsariya House, Maurya Bihar, Near- D.A.V. School, Sampatchak, Patna, PIN- 800026.
3. Jagdish Prasad son of Late Manikchand Mahto Resident of Village- Phajilapur, Post- Damoderpur Baldha, P.S. Nagarnausa, District- Nalanda, PIN- 801305.
4. Anil Prasad son of Late Manikchand Mahto Resident of Village- Phajilapur, Post- Damoderpur Baldha, P.S. Nagarnausa, District- Nalanda, PIN- 801305.
5. Janardhan Prasad son of Late Manikchand Prasad Resident of Village- Phajilapur, Post- Damoderpur Baldha, P.S. Nagarnausa, District- Nalanda, PIN- 801305.
6. Dukhani Devi wife of Late Sunil Prasad Resident of Village- Nagma, Post- Damoderpur Baldha, P.S. Nagarnausa, District- Nalanda, PIN- 801305.
7. Dinesh Kumar son of Late Siri Mahto Resident of Village- Nagma, Post- Damoderpur, P.S. Nagarnausa, District- Nalanda, PIN- 801305.
8. Shyampadi Devi wife of Baijnath Mistri Resident of Village- Latipur, Post- Damoderpur Baldha, P.S. Nagarnausa, District- Nalanda, PIN- 801305.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Principal Secretary, Road Construction Department Government of Bihar, Patna.
3. The Chief Engineer, Road Construction Department South Bihar Wing, Patna.
4. The Superintending Engineer, Road Construction Department Central Circle, Patna.
5. The Executive Engineer, Road Construction Department Road Division, Hilsa.
6. District Magistrate, Nalanda.
7. Circle Officer, Nagarnausa District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shambhu Nath
For the Respondent/s	:	Mr.Raj Ballabh Pd. Yadav (AAG-11)



CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 01-03-2019 Heard.

The petitioners are seeking the following reliefs:-

“(i) To direct the respondents to remove the encroachment made upon the land of petitioners

(ii) To direct the respondents to make demarcation of land of petitioners.

(iii) Not to construct public road on the raiyati land of petitioners without acquisition of land.

(iv) To grant suitable compensation to the petitioners for damaging the raiyati agricultural land and standing crops of the petitioners.

(v) To direct the respondents to stop ongoing work of road construction, immediately, on the land of petitioners.

(vii) to direct the respondents to construct the road on the Government land, available on work site.”

The nature of reliefs, which the petitioners are seeking in the present writ application, cannot be gone into in a proceeding under Article 226 of the Constitution of India.

There are several enactments enacted by the State Legislature for redressal of the grievance of such kind, including



the Bihar Land Disputes Resolution Act, 2009 and Bihar Right to Public Grievance Redressal Act, 2015, which the petitioners can invoke.

This writ application is disposed of with a liberty to the petitioners, as indicated above.

(Chakradhari Sharan Singh, J)

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