

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4830 of 2019

Manoj Kumar, aged about 35 Years (M), Son of Banarsi Sah, R/o Sugauli Bazar, Ward No. 7, P.S. Sugauli, District East Champaran, Motihari.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The District Magistrate, Motihari, District-East Champaran, Motihari.
4. The Sub Divisional Officer, Motihari, District-East Champaran, Motihari.
5. The Circle Officer, Sugauli, District-East Champaran, Motihari.
6. Sri Braj Kishor Sah, aged about 22 Years (M), Son of Bhikhari Sah, R/o Sugauli Bazar, Ward No. 7, P.S.-Sugauli, District-East Champaran, Motihari.

... .. Respondents

Appearance :

For the Petitioner : Mr.Sharda Nand Mishra, Advocate.
For the Respondents : Mr.Sajid Salim Khan, S.C. 25.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

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

“1. For issuance of a writ in the nature of mandamus for direction to respondents for considering the case of the petitioner for restraining the respondent no. 6 for construction on the public Road/Rasta in the Mohalla-Sugauli Bazar, Ward No. 7. The said very Rasta was made by the Mohalla people of Ward No. 7, which is connected to N.H. 28 and has constructed Nala by respondents and further issue direction to the respondents to consider the applications filed by the petitioner



and other public of Mohalla-Sugauli Bazar, Ward No. 7 before the respondents regarding restraining/stopping construction on the Rasta which has already provided by the Mohalla Public. Due to construction made by respondent no. 6, the Rasta towards N.H. 28 and Delhi Public School shall be blocked and further issue direction to respondents to consider the case of the petitioner as the Rasta of the petitioner and other Mohalla public shall not be closed by Pucca construction by the respondent no. 6.”

There is dispute between the petitioner and respondent no. 6 in respect of providing road on the land in question.

Considering the aforesaid facts and circumstances, the petitioner, if so advised, may file a complaint under Section 4 of the Bihar Land Dispute Resolution Act, 2009 before the competent authority for redressal of his grievance.

With the aforesaid observations and directions, the present writ application stands disposed of.

(Sudhir Singh, J)

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