

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11511 of 2019

1. Mahendra Singh son of Late Ramu Singh Resident of Village- Roh (Ratoi), P.S. Roh, District- Nawada.
2. Lalita Devi wife of Mahendra Singh Resident of Village- Roh (Ratoi), P.S.- Roh, District- Nawada.

... .. Petitioners

Versus

1. The State of Bihar.
2. The Secretary, Rural Works Department, Bihar, Patna.
3. The Engineer-in- Chief, Rural Works Department, Bihar, Patna.
4. The Executive Engineer, BSRDC, Bihar, Patna.
5. The Executive Engineer BSRDC, Nawada.
6. The Secretary, State Highway, Bihar, Patna.
7. The Engineer-in- Chief, State Highway, Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioners	:	Mr.Surendra Kishore Thakur, Advocate Mr. Brajesh Kumar Singh, Advocate
For the Respondent State:		Mr. Pratik Kumar Sinha, AC to GA-5
For the Respondents 5 & 6:		Mr. Lalit Kishore, Senior Advocate Mr. Manish Dhari Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 01-07-2019 The petitioners have a grievance that a public road is being constructed upon their private land without having undertaken any process of land acquisition and payment of compensation.

It is the case of the petitioners that the land, in question, appertaining to Khata No. 157, Plot No. 9241 under Thana No. 586, Mouza Roh in the district of Nawada, was



purchased by the petitioners from the successors of Md. Kamarant Hasan through sale deeds executed on 19.08.2004 and 10.02.2005. They are said to have come in possession over the land in question and the land has been mutated in their names. It is stated in paragraph 9 of the writ application that recently, the State respondents have started extension and upgradation of road standing over Plot No. 9111 and have extended the construction to the land belonging to the petitioners. There is no averment at all as to when the construction work began. There is thereafter a statement that on 16.01.2019 and 07.03.2019 they filed representation before the Circle Officer and the Chairman, BSRDC. In paragraph 11, it is stated that the petitioners also made request to the respondents to get the land demarcated before making any construction. There is no such assertion, however, as to how and when any request was made to the respondent authorities.

Based on such vague pleadings, no relief, as sought in the writ application can be granted. This application is accordingly dismissed.

The petitioners shall, however, be at liberty to approach the authorities under the Bihar Right to Public Grievance Redressal Act, 2015, or under the Bihar Land



Disputes Resolution Act, 2009, for redressal of their grievances.

(Chakradhari Sharan Singh, J)

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