

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9587 of 2019

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Puspa Verma, W/o Pramod Kumar Verma, Resident of Village- Ward No.10,
Khariya Basti, Near Vyapar Mandal, P.S. and District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Araria.
3. The Nagar Parishad, Araria through its Executive Officer, Araria
4. The Executive Officer, Nagar Parishad, Araria.
5. Anchal Adhikari, Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar
For the Respondent/s : Mr. Subash Prasad Singh (Ga3)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 29-04-2019 Heard learned counsel for the petitioner and the State.

2. The grievance of the petitioner is against the unauthorized use of the private land of the petitioner for construction of road under Mukhyamantri Naali Gali Nischay Yojna.

3. The State is required to make road over the public land or over the private land after acquiring the land following the procedure and after payment of compensation.

4. In the event, the land of the petitioner has been used by the authorities under Mukhyamantri Naali Gali Nischay Yojna without acquisition of land and without payment of compensation, then the respondents have to consider the



payment of compensation to the petitioner.

5. Considering the aforesaid facts and circumstances of the case, the writ application is disposed of with a direction to the petitioner to file exhaustive representation before the Executive Officer, Nagar Parishad, Araria (respondent no.4), who shall cause an enquiry into the claim of the petitioner and if it is found that the private land of the petitioner has been used for construction of road under Mukhyamantri Naali Gali Nischay Yojna the respondent no.4 shall ensure payment of compensation in terms of the existing norms and law.

6. Necessary decision in this regard must be taken by respondent no.4 within a maximum period of four months from the date of filing of such representation along with a copy of this order.

7. With the aforesaid, this application stands disposed of.

(Anil Kumar Upadhyay, J)

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