

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2706 of 2016

Arising out of

Civil Writ Jurisdiction Case No.16516 of 2012

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Gajendra Kumar Choudhary S/o Late Bhogendra Narayan Choudhary
Resident of Village-Sahpur Undi, P.S. Patory, Dist.-Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar, through the Principal Secretary Department of Ruler Development, Govt. of Bihar, Patna namely Sri Vyas Ji
2. The District Magistrate, Samastipur namely Sri Pranav Kumar
3. The District Ruler Development Officer Samastipur namely Sri Md. Afjale Rahman.
4. The Programme Officer (MANREGA) Patori Dist.-Samastipur Namely Sri Ramesh Kumar
5. The Executive Engineer (MANREGA) Samastipur Namely Sri Bindeshwari Prasad
6. The Sub Divisional Officer Patori, Samastipur Namely Sri Rajesh Kumar
7. The Circle Officer, Patori, Samastipur Namely Sri Inrdeo Pandit
8. The Panchayat Secretary, Grampanchayat Raj Sahpur Undi, P.S. Patori, Dist.-Samastipur Namely Sri Mithilesh Singh

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Sunil Kumar, AC to GA 12

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 19-07-2019

Heard learned counsel for the petitioner and learned AC
to GA 12 for the State.

2. The petitioner has alleged wilful disobedience of
order dated 10.09.2015 passed in CWJC No. 16516 of 2012.

3. From the materials brought on record, it transpires
that the order of the Writ Court required the District Magistrate,



Samastipur to consider the representation filed by the petitioner as to whether his private land had been taken for construction of road under MNREGA Scheme without his consent or the consent of his family members.

4. From the materials on record, it transpires that one Kishori Devi, who was the wife of the brother of the petitioner and Yogendra Prasad Choudhary, another brother of the petitioner had given consent in writing for their land to be used for such public purpose.

5. In view thereof, the Court does not find any contempt to have been committed by the authorities and accordingly, the application stands disposed off.

6. However, it shall be open to the petitioner to contest before the appropriate forum with regard to his grievance that the land belonging to his share had also been taken for such construction without due and proper consent, as is required under law.

(Ahsanuddin Amanullah, J)

Anjani/-

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