

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9739 of 2013

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1. Jawahar Prasad Singh Son of Late Rajendra Pd. Singh, Resident of Golma, P.S. Sour Bazar, District – Saharsa.
 2. Jyotendra Kumar Singh Son of Late Janardan Pd. Singh, Resident of Golma, P.S. Sour Bazar, District - Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The D.M. Saharsa
3. The Circle Officer, Patarghat, Block - Patarghat, District – Saharsa.
4. The Executive Engineer, Rural Work Division No. 1 Vikas Bhawan, Saharsa.
5. The S.D.O. Rural Work Division No. 1 , Vikas Bhawan, Saharsa Null Null
6. The Junior Engineer, Rural Work Division No. 1, Vikas Bhawan, Saharsa.
7. Rajesh Kumar Singh S/O Deonandan Singh R/O At-P.O. Kapsiya, P.S. Sour Bazar, Dist - Saharsa, Presently Resides At Saharsa Ward No. 11, Near Kapsiya House, P.S. - P.O. Dist – Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.
For the Respondent/s : Mr. Rajesh Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 22-04-2019 The grievance of the petitioners in the writ application is unauthorized construction by the respondents in the nature of construction of road on the petitioners land bearing Khata No. 2233, Khesra No. 11940, area 15 decimals of Mauja Golama, District Saharsa under Pradhan Mantri Sadak Yojna without acquisition of land.

Learned counsel for the petitioners submits that without acquiring the land of petitioners, respondents have made construction under Pradhan Mantri Sadak Yojna which is



unauthorized.

Considering the aforesaid, the present writ application is disposed of with a direction to the District Magistrate, Saharsa to cause an enquiry and verification and after determination and demarcation of petitioners land if it is found that the road was constructed over the Raiyati land of the petitioners under the Pradhan Mantri Sadak Yojna, the District Magistrate, Saharsa shall be under obligation either to direct removal of the construction made over the raiyati land of the petitioners or to take steps for payment of compensation for the use of land of the petitioners. Necessary decision either for payment of compensation or removal of unauthorized construction made over the private land of the petitioners be taken within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the present application stands disposed of.

(Anil Kumar Upadhyay, J)

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