

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 2054 of 2016

Arising out of

Civil Writ Jurisdiction Case No. 11292 of 2015

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Shishir Kumar Son of Late Maheshwar Prasad Thakur, resident of Village-
Gorgama, P.S.- Patori, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Home Government of Bihar, Patna namely Mr. Amir Subhani.
2. Mr. Pranab Kumar, the present and the then District Magistrate, Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. S. K. Thakur, Advocate
For the State	:	Mr. P. K. Verma, AAG 3
		Mr. Suman Kumar Jha, AC to AAG 3

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 08-08-2019

Heard learned counsel for the petitioner and learned
AAG 3 for the State.

2. The petitioner has alleged non compliance of order
dated 27.08.2015 passed in CWJC No. 11292 of 2015.

3. By the said order, the District Magistrate, Samastipur
was directed to get the land in question measured and if it was
found that any land belonging to the petitioner was utilized in any
manner by the Panchayat Samiti or any authority then either it
should be acquired after payemnt of compensation in accordance
with law or the structure should be removed forthwith and the
possession of the land should be delivered to the petitioner.



4. From the materials brought on record in the counter affidavit filed on behalf of the authorities, it transpires that after re-measurement only 20 sq. feet of land has been found which belonged to the petitioner and which was used for the construction of the road. However, it has also been noted that the road built of bricks has been cleared and the possession handed back to the petitioner.

5. Having regard to the aforesaid, the Court finds that the order dated 27.08.2015 passed in CWJC No. 11292 of 2015, has been complied.

6. Accordingly, the application stands disposed off.

7. However, it goes without saying that if the petitioner is still aggrieved by the measurement of the land, including that of his neighbour, in terms of the revenue records, it shall be open for him to move for the same before the appropriate authority, in accordance with law, which shall take into the matter without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

P. Kumar

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