

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11943 of 2019

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Suresh Prasad Singh Son of Late Kailash Singh Resident of Village-Post
office-Kuhila, Block-Police Station-Akbarpur, District-Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary of Rural Works Department, Government of Bihar, Patna.
2. The Chief Engineer, Rural Works Department, Bihar, Patna.
3. The Superintending Engineer, Rural Works Department, Division-Magadh, Gaya.
4. The Executive Engineer, Rural Works Division, Rajauli, District-Nawadah.
5. The District Magistrate, Nawadah.
6. The Sub Divisional Officer, Rajauli, District-Nawadah.
7. The Circle Officer, Akbarpur, District-Nawadah.
8. The Officer-in-Charge, Akbarpur Police Station-District-Nawadah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the Respondent/s : Mr. Kumar Alok (SC-7)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-07-2019 Heard learned counsel for the parties.

2. The petitioner asserts that the lands bearing plot Nos. 812, 816, 817 and Plot Nos. 837, 837, which lie alongside Fatehpur to Govindpur Path-2 Karman Road under the Prime Minister Sarak Rojgar Yojna has been used for extracting earth for the purpose of construction of road without undertaking any process of land acquisition or paying compensation.

3. It is the case of the petitioner that because of digging out of the earth not only that the petitioner's land has



been damaged, crops standing thereon has also been destroyed for which the petitioner deserves adequate compensation. He has relied on a decision of this Court in case of **Gulab Choudhary Vs. State of Bihar** reported in **2015(4) PLJR 645**.

4. There cannot be any dispute over the legal proposition that no private land of a person can be used for public purpose without paying such person adequate compensation.

5. However, in my view, the petitioner has remedy under the provisions of Bihar Public Right to Grievance Redressal Act, 2015.

6. In my opinion, the grievance of the nature, which the petitioner is raising in the present writ application comes within the definition of complaint under Section 2(a) of the Bihar Public Right to Grievance Redressal Act, 2015.

6. This application is thus, disposed of with an observation that the petitioner shall be at liberty to approach the Public Grievance Redressal Officer by making an appropriate application for redressal of his grievance under the Act and rules frames thereunder. If any such application is made within one month from today, the Court expects that the same shall be disposed of within six months from making of the application.



7. It goes without saying that the Public Grievance Redressal Officer shall keep in mind the decision of this court in case of **Gulab Choudhary vs. State of Bihar** (supra), while disposing of the petitioner’s application.

(Chakradhari Sharan Singh, J)

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