

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25637 of 2019

Prabha Devi @ Parbha Devi, W/o Late Musafir Ram, Resident of Village-
Ward No.- 09, Kasba Maker, P.S.- Maker, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Saran.
2. The Deputy Development Commissioner, Saran.
3. The Sub Divisional Magistrate, Chapra, District- Saran.
4. The Circle Officer, Maker, District- Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh
For the Respondent/s : Mr. Raj Ballabh Prasad Yadav (AAG-11)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
and
HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH)

2 20-12-2019 Heard learned counsel for the petitioner and learned
AC to AAG-11 for the respondent-State.

The present writ application has been filed by way of Public Interest Litigation for a direction to the respondent authorities to acquire the land and construct the connecting road from Mahadalit Tola to main approach road situated at Kasba Panchayat, Ward No. 9, under the Maker Block within the district of Saran.

It is submitted by learned counsel for the petitioner that there is no approach road to the land in question where around 400 people of Mahadalit community are residing, which



creates immense problem in living a normal life. It is further submitted that a public representation was submitted before respondent no.4, the Circle Officer, Muzaffarpur on 07.09.2019, as contained in Annexure-1. Similar representations were also submitted through registered post before respondent no.1, District Magistrate, Chapra, respondent no.2, Deputy Development Commissioner, Chapra and respondent no. 3, the Sub-divisional Officer, Chapra, as contained in Annexure-2(series), but the grievance of the petitioner has not been redressed as yet.

Learned AC to AAG-11 submits that from the writ application, it does not appear the exact location of the land, on which the petitioner is residing and source of acquiring the land in question. However, if a detailed representation is filed before respondent no.1, the District Magistrate, Chapra, then same will be considered in appropriate manner in accordance with law.

Considering the rival submissions of the parties, since interference in the writ application requires ascertainment of disputed question of facts, we are not inclined to interfere. However, we give liberty to the petitioner to submit a representation giving factual details of the land in question on which he is residing and the land which is sought to be acquired



before respondent no.1, the District Magistrate, Chapra within a period of four weeks from the date of receipt/production of a copy of this order whereupon it is expected from respondent no.1, the District Magistrate, Chapra to dispose of the same within a period of six weeks thereafter.

Accordingly, with the above observations and directions, the present writ application is disposed of.

(Dinesh Kumar Singh, J)

(Anil Kumar Sinha, J)

Amrendra/-

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