

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6084 of 2019

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Rakesh Bihari Sharan, Son of Late Sita Bar Sharan R/o Flat No.-204 'B'
Block, S.B.Residency, Shaikh Pura, P.S.-Hawai Adda, Patna-800014.

... .. Petitioner/s

Versus

1. Patna Municipal Corporation through the Municipal Commissioner, Patna Municipal Corporation, Patna.
2. The Chief Engineer, Patna Municipal Corporation, Patna.
3. The Executive Engineer, New Capital Division, Municipal Corporation, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar Ambastha, Advocate
For the Corporation	:	Mr. Sanjay Prakash Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 07-01-2020 Heard the learned counsel for the parties.

The petitioner has approached this Court for a direction to the respondents to quash the concerned tender under which a road has to be constructed under the Chief Minister Nagar Vikash Yojana.

Learned counsel for the petitioner submits that the area demarcated for construction of the RCC road passes through the *raiya* land of the petitioner and without acquisition of the aforesaid land, no public construction can be carried out.



The learned counsel for the Patna Municipal Corporation poses no quarrel with the aforesaid proposition. He further submits that only tender has been floated and no work has been started. It has further been submitted that in case the *raiya* land of the petitioner would be required to be taken for executing the aforesaid project, necessary action with respect to acquisition of the land in question shall be initiated before embarking upon constructing the road.

With this stand of the respondent / Municipal Corporation, the petitioner has no cause of fear.

In that view of the matter, this writ petition stands disposed off.

(Ashutosh Kumar, J)

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