

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8724 of 2020

=====

Pankaj Kumar Son of Sri Ranvir Prasad Singh, Resident of Village - Rampur Harpur, Block- Pupri, Police Station - Pupri, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Rural Works Department, Govrenment of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Executive Engineer, Rural Works Division, Rural Works Department, Pupari, Sitamarhi.
4. The Assistant Engineer-cum-Sub Divisional Officer, Rural Works Sub Division, Rural Works Department, Pupari, Sitamarhi.
5. The Junior Engineer, Rural Works Sub Division, Rural Works Department, Pupari, Sitamarhi.
6. The District Magistrate, Sitamarhi.
7. The Circle Officer, Pupri, Sitamarhi.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Pratik Kumar Sinha Adv
For the Respondent/s : Mr. Ajay GA-5

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 23-12-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner as well as learned



counsel for the respondent- State.

The writ petition has been filed by the petitioner alleging that the respondent Authorities have measured the petitioner's land comprising of Khata No. 33, Khesra No. 4286 and tried to utilize the same for construction of road under the PMGSY. The Court, on the earlier occasion, had directed for verification of the claim by the authorities based on joint measurement of the petitioner's land.

The counter affidavit has been filed subsequent thereto. The measurement, as per communication dated 08.12.2020 of the Circle Officer, Pupri has revealed that 4.25 decimal part of land on the eastern side of Khesra No. 4286, claimed by the petitioner, was being utilized for construction of the road. Having realized the situation, the Executive Engineer of the Rural Works Department, Works Division, Pupri, has written to the Circle Officer under communication dated 10.12.2020 that the said portion of Khesra No. 4286, claimed by the petitioner would not be utilized and that no construction of any road would be carried out on the petitioner's land.

In view of the said stand which is being recorded in this order, the counsel for the petitioner submits that no further grievance remains as the Authorities have realized their mistake



and have stated in the affidavit that henceforward they shall not be causing any obstruction on the petitioner's peaceful possession and enjoyment of Khesra No. 4286 on the basis of any construction activity already undertaken and that they would not be undertaking any construction of road on the said lands in future also.

Recording the stand of the parties, based on the pleadings, the writ application is disposed off.

(Madhuresh Prasad, J)

shyambihari/-

U			
---	--	--	--

