

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21350 of 2019

Subodh Kumar Singh, Son of Late Rajendra Singh Resident of Village-
Mustafapur, P.O.- Nalanda, Police Station- Nalanda, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Land Reforms and Revenue Department, Government of Bihar, Patna.
2. The Principal Secretary Land Reforms and Revenue Department, Government of Bihar, Patna.
3. The Collector-cum- District Magistrate Nalanda at Biharsharif.
4. The Additional Collector Nalanda at Biharsharif.
5. The District Land Acquisition Officer Nalanda at Biharsharif.
6. The Executive Engineer PWD, Biharsharif Division, Biharsharif.
7. The Sub Divisional Officer Biharsharif Sadar, Nalanda.
8. The Circle Officer Biharsharif, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Hansraj, Advocate

For the Respondent/s : Mr.Md. Khurshid Alam, AAG12

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-12-2020

Petitioner has prayed for the following relief(s):-

“For issuance of a writ in the nature of writ of mandamus or any other appropriate writ, order or direction commanding the respondents to not acquire land of Mauza-Mustafapur under Nursarai Circle, District-Nalanda rather the same may be acquire for proposed road construction scheme from the west of Begampur in Mauza-Kaparsari on the earlier constructed road.”

Learned counsel for the State opposes the petition stating that the petition is misconceived; raises disputed question



of fact; is not in public interest; and that the issue can be best resolved at the Government level by the appropriate authorities.

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents i.e. respondent nos. 3 and 4, namely, the Collector-cum-District Magistrate, Nalanda at Biharsharif and the Additional Collector, Nalanda at Biharsharif, to consider and decide the representation which the petitioners shall be filing for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authorities concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.



Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits. All issues are left open.

The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, also stands disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	16.12.2020
Transmission Date	

