

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8953 of 2016

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Anil Kumar son of Sitaram Yadav resident of Village Panaypur, P.S. Barbigaha,
District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Sheikhpura.
3. The Superintending Engineer, Rural Works Department, Bhagalpur Circle,
Bhagalpur.
4. The Executive Engineer, Rural Works Department, Sheikhpura Division,
Sheikhpura.
5. The Circle Officer, Sheikhpura Sarai, District- Sheikhpura.
6. M/s Aditya Construction through its Proprietor Chandrabhushan Sharma son
of not known Village and P.O. Sarva, district- Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Respondent/s : Mr.Ashok Kumar- Sc11

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned
State counsel.

2. This writ application has been filed to direct the respondent concerned to pay adequate compensation to the petitioner for illegal and forceful use of his land, bearing Khata No. 227, Plot No. 1911, 1912, Area 60 decimals Mauza Belao, Anchal Sheikhopur Sarai, District Sheikhpura in construction of road from Tol to Panaypur Package no. BR-31R-062 under PMGSY (*Pradhan Mantri Gramin Sadak Yojana*) as the contractor dug the earth and used the soil in construction of



Road without any acquisition and consent and made the land unfit for cultivation and the petitioner suffered loss because agriculture/cultivation is the only source of his livelihood and also direct to fill up the earth to make the land fit for cultivation.

3. Learned State counsel, by filing counter affidavit, submits that without any order passed by the respondents authority, the concerned contractor had dug the soil from the land of the petitioner at the time of construction of the road. However, the ditches made by the contractor have already been filled up and land has restored to its original shape.

4. Learned counsel for the petitioner does not dispute the contention made on behalf of the State.

5. Having regard to the facts and circumstances of the case and the submissions made on behalf of the parties, no further order is required to be passed in this case.

6. Accordingly, the writ application stands disposed of.

(Prabhat Kumar Singh, J)

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