

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6567 of 2020

1. Mosmat Daulati Devi @ Daulat Devi Wife of Late Vishav Nath Mahto resident of Mohalla- Laxmanpur Math, Koiri Tola, Sampatchak, P.s.- Alamganj, District- Patna
2. Sarwan Mahto Son of Late Kali Charan Mahto, resident of Diwan Mohallah, Ranipur Milkichak, Patna City, P.s.- Khajekalan, District- Patna
3. Jai Kumar Mahto Son of Late Kali Charan Mahto, resident of Diwan Mohallah, Ranipur Milkichak, Patna City, P.s.- Khajekalan, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna
2. The Additional Chief Secretary, Road Construction Department, Government of Bihar, Patna
3. The Engineer-in-Chief-cum-Additional Secretary, Road Construction Department, Government of Bihar, Patna
4. The Chief Engineer, Gangapul, Priyojna Wing Road Construction Department (Formerly P.W.D.), Government of Bihar, Patna
5. The Executive Engineer, PatnaCity Road Division, Gulzarbagh, Road Construction Department, Patna
6. The District Magistrate, Pana
7. The Sub Divisional Magistrate, Patna City, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Avinash, Adv. Mr. Kritya Nand Jha, Adv.
For the Respondent/s	:	Mr.Syed Iqbal Ahmad, SC-20

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 03-07-2023

1. The present writ petition has been filed seeking the following reliefs:-

“1(A). For issuance of an appropriate writ, order or direction directing the respondent authorities



to remove the encroachments and hand over actual physical possession of land bearing Plot No.-A/01 of Rehabilitation Scheme No-3C at Diwan Mohallah, P.S.-Khajekalan, District-Patna which has been allotted to the petitioners and for the same registered lease agreement dated 11-06-2016 has also been executed between the parties.

(B). For issuance of an appropriate writ, order or direction, directing the respondent authorities to ensure possession over the land allotted to the petitioners bearing Plot No.-A/01 of Rehabilitation Scheme No-3C at Diwan Mohallah, P.S.-Khajekalan, District- Patna after removing the encroachments over the said land, for the same registered lease agreement dated 11-06-2016 has already been executed between the petitioners and competent authorities of the State Government.”

2. The learned counsel for the Respondent-State has submitted, at the outset, by referring to the counter affidavit, filed in the present case that steps are being taken to hand over possession of plot No. 3C-A1, Diwan Mohalla (part of M.S. Plot No. 1636, 1646 and 1652), allotted in the name of Shivratri Devi (mother-in-law of the petitioner Daulati Devi) and for the said purposes, police force is being deployed for taking needful



action and the possession of the plot in question would definitely be handed over to the petitioners within a period of four weeks from today.

3. Having regard to the undertaking of the Respondent officials, to the aforesaid extent, I deem it fit and proper to issue directions to the Respondent authorities to honour their undertaking, as aforesaid, forthwith.

4. The present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

AFR/NAFR	NAFR
CAV DATE	N A
Uploading Date	8.7.2023
Transmission Date	NA

