

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7522 of 2023

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Sanjay Kumar, aged about 29 years, male, Son of Late Nanhu Chaudhary,
Resident of Village- Bapunagar, P.O- Bhalua, P.S.- Bodh Gaya, Gaya.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar.
2. The Principal Secretary Rural Works Department, Government of Bihar.
3. The Vice Chancellor, Magadh University.
4. The Director, Indian Institute of Management, Bodh Gaya.
5. The District Magistrate, Gaya.
6. The Bodh Gaya Nagar Parishad, through its Executive Officer.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akash Keshav, Advocate

For the Respondent/s : Mr. P.K. Shahi, AG

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE MADHURESH PRASAD)

Date : 18-05-2023

Heard learned counsel for the petitioner and learned
counsel for the State.

2. The instant writ application has been filed as a
Public Interest Litigation (PIL). It is the petitioner's case



that for about 50 years, around 5,000 villagers were using the village road constructed under the *Pradhan Mantri Gramin Sadak Yojana* connecting Mahurar village and Bapu Nagar village to Dobhi Highway. The said right is being interfered by the respondents. \

3. Petitioner claims to be a resident of the concerned village. It is the petitioner's case that the lands, on which the village road is claimed to have been constructed, belongs to Magadh University, which now has been transferred to Indian Institute of Management (IIM). The petitioner, however, claims that the road was constructed after taking No Objection Certificate (NOC) from the Magadh University. The NOC, however, has not been placed on record.

4. In view of the nature of claim involving disputed questions of right, title and possession sought to be raised by the petitioner, this Court is not inclined to entertain the writ petition, much less a PIL

5. The petitioner, however, would be at liberty to raise the issue in appropriate proceedings. This Court finds no issue of public interest which is required to be considered under the extraordinary discretionary writ jurisdiction.



6. The writ petition, as a PIL, is thoroughly misconceived, and is, accordingly, dismissed.

(K. Vinod Chandran, CJ)

(Madhuresh Prasad, J)

Raj kishore/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	20-05-2023
Transmission Date	

