

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16694 of 2013

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Kedar Singh Son Of Late Ramraj Singh Resident Of Village - Amai Purana
Tola, P.O. Hasan Bazar, P.S. Piro, Distt. - Bhojpur

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Land Reforms Bihar, Patna.
2. The Commissioner, Patna Division, Patna
3. The Distt. Magistrate, Bhojpur, Ara
4. The Sub - Divisional Officer Piro, Distt. - Bhojpur
5. The Circle Officer At Piro District Bhojpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate
For the Respondent-State: Mr. Suman Kumar Jha, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 17-02-2023 Though the present writ petition has been filed for directing the respondent no. 2 not to construct a road over the land of the petitioner appertaining to R. S. Khata no.747, R.S. Plot no. 147, measuring an area of 3.52 Acres, situated at Mauza Amai Purana Tola, P.S.- Piro, Distt.- Bhojpur, however, it has been submitted by the learned counsel for the respondent-State by referring to para no. 6 of the counter affidavit filed in the present case that no construction work of road is being carried out over the private land of the petitioner and the present petition has been filed merely on an apprehension that the *raiya* land of the petitioner shall be utilized for construction of



a road without his consent.

In view of the aforesaid statement made by the respondent-State in its counter affidavit, nothing survives for consideration in the present petition, hence, the present writ petition stands dismissed, as having been rendered infructuous, however, with a direction that in case the respondents propose to construct road over the private land of the petitioner, they shall first take recourse to the due process of law.

(Mohit Kumar Shah, J)

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