

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10940 of 2023

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Ritesh Kumar Mishra Son of Kaushalendra Mishra, resident of village-
Chakhabib, P.S. - Vibhutipur, District - Samastipur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Samastipur.
2. The District Magistrate-cum-Collector, Samastipur.
3. The Deputy Collector and Land Reforms, Samastipur.
4. The District Welfare Officer, Samastipur.
5. The Sub-Divisional Officer, Rosera, Samastipur.
6. The Circle Officer, Bibhutipur Block, Samastipur.
7. The Block Development Officer, Bibhutipur Block, Samastipur.
8. The Executive Engineer, District Rural Development Agency, Samastipur.
9. The Executive Engineer, Building Division, Samastipur.
10. The Executive Engineer, Local Area Engineering Organisation, Rosera, Samastipur.
11. The Executive Engineer, Rural Works Department, Rosera, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amitabh Sohan
For the Respondent/s : Mr.Rishi Raj Sinha (Sc19)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-12-2023 Heard the parties.

2. This application has been filed on behalf of the petitioner for quashing the order passed by the District Welfare Officer, Samastipur by which a decision has been taken to construct a Community Hall for the Harijans.

3. It has been contended by the learned counsel for the petitioner that on a public road some government construction is under process.



4. If the contention of the learned counsel for the petitioner is correct then no construction can be allowed on a public road.

5. Learned counsel for the petitioner has taken this Court to the representation dated 12.04.2023 given to the Circle Officer, Bibhutipur. The Circle Officer, Bibhutipur is directed to examine the matter himself and pass a reasoned order. If he finds, after measurement that on an existing road government construction is to be made then the construction cannot be allowed.

6. Till disposal of this application, it is directed that no construction shall be made by the respondent authorities on the road in question.

7. With the aforesaid directions, this application is disposed of.

8. Let a copy of this order be communicated to the District Magistrate, Samastipur through FAX and e-Mail for its compliance forthwith.

(Sandeep Kumar, J)

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