

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16063 of 2022

Abdul Gaffar Ansari Son of Sheikh Amin Ansari Resident of Village-Parasathua, P.O.-Kathrai, P.S. and Anchal-Kochas, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Rohtas.
2. The Collector-Cum-District Magistrate, Rohtas.
3. The Sub-Divisional Magistrate, Sasaram, District-Rohtas.
4. The District Land Acquisition Officer-Cum-Competent Authority, Rohtas at Sasaram.
5. The Circle Officer, Kochas, District-Rohtas.
6. The Union of India through the Secretary, Ministry of Road Transport and Highway, Government of India, New Delhi.
7. The National Highway Authority of India through its Chairman, New Delhi.
8. The Competent Authority-Cum-Land Acquisition Officer, National Highway Authority of India, Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashikant, Advocate
For the Respondent/s : Mr. Raj Kishore Roy (GP 18)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-06-2023 The present petition has been filed seeking the following reliefs :-

“(i) For issuance of a writ in the nature of mandamus directing the respondents not to demolish the part of the building of the petitioner which has been red-marked by treating it an encroachment without adopting the legal procedure prescribed under the Bihar Public Land Encroachment Act (in short Encroachment Act) as no notice has ever been issued to the petitioner about



alleged encroachment.

(ii) For restraining the respondent not to take any coercive action against the petitioner for demolition of his building in question for widening of National Highway as the land in question has not been acquired by the National Highway Authority under the National Highway Act, 1956 as well as Land Acquisition Act, 1894.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate representation before the District Magistrate, Rohtas at Sasaram for redressal of his aforesaid grievances. Liberty so sought, is granted.

It is needless to state that in case, appropriate representation is filed within a period of four weeks from today, the District Magistrate, Rohtas at Sasaram shall consider the same in accordance with law and pass a reasoned and a speaking order, within a period of six weeks, thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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