

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15390 of 2013

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Jawahar Prasad Singh @ Prabhat Kumar Singh Son Of Late Janki Singh
Resident Of Village P.O. P.S. Hasanpur, District- Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Samastipur
3. The Land Acquisition Officer-Cum-Additional Deputy Collector, Samastipur
4. The Land Reforms Deputy Collector, Rosera, Samastipur
5. The Circle Officer, Hasanpur, Rosera, Samastipur
6. The Rural Engineering Department, Government Of Bihar Through The Assistant Engineer, Hasanpur, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nagendra Kumar Singh, Advocate
For the Respondent/s : Mr.Kameshwar Kumar, GP 17

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-02-2023 The present writ petition has been filed seeking the following reliefs :-

“(I) For the issuance of an appropriate writ, order or direction to the respondents to pay the adequate compensation to the petitioner because of the reason that the respondent Rural Engineering Organization Department Rosera, Samastipur has illegally and arbitrarily constructed brick soling Road over Khatiani / Raiyati land of the petitioner pertaining to Khata No. 144 (Old) Khesra No. 49 (Old) New Khata - 72, and thereafter Khata No. 109 Area 6 Katha 6 Dhur without acquisition of the said land under land



Acquisition Act 1984 which has caused hardship to the petitioner and deprived of his landed property.

(II) For further direction to the respondents to comply the order dated 7.2.2012 of the Land Reforms Deputy Collector Rosera Samastipur the competent authority passed in Land Dispute Redressal case No. 43/2011-12 in words and spirit whereby the learned Court has directed and restrained the respondent Department of Rural Engineering Organization, Rosera, for doing any construction over the land of the petitioner and to release the land over which road has been constructed.

(III) For further direction to the respondents to take stern action against the erring officer who have prepared the estimates granted administration approval and under whose supervision brick soling work was being done without providing opportunity to file show cause to the petitioner or without taking recourse under land Acquisition Act.”

The learned counsel for the respondent- State has submitted that construction work of road over the private land of the petitioner was stopped long back, however, he has not got any instructions with regard to the situation prevailing at the moment.



In view of the aforesaid, I deem it fit and appropriate to dispose of the present writ petition with liberty to the petitioner to avail such other alternative remedies, as are otherwise available under the law for redressal of his aforesaid grievances, if they are still subsisting.

The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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