

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23108 of 2019

Vijay Kumar Gupta Son of- Ram Lakhan Sah R/O- Tulshi Mandi, Sudarshan Path, Near Gulzarbagh Station Road, P.O. and P.S.- Gulzarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary Revenue and Land Reforms, Government of Bihar, Patna.
4. The Principal Secretary Road Construction Department, Government of Bihar, Patna.
5. The District Collector, Patna.
6. The District Land Acquisition Officer, Patna.
7. The Deputy Collector Land Reforms, Patna.
8. The Sub Divisional Officer, Patna Sadar.
9. The Circle Officer, Patna Sadar.
10. The Engineer-in- Chief, Road Construction Department, Government of Bihar, Patna.
11. The Executive Engineer, Gulzarbagh Road Division, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Alok Ranjan, Advocate
For the Respondent/s : Mr.Sajid Salim Khan (Standing Counsel-25)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 15-02-2023 The present writ petition has been filed seeking the following reliefs:-

“(1) For directing the respondents to remove the encroachment from the land of the petitioner, due to illegal act of the authorities the encroachment over the land of the petitioner has been made and



the petitioner is compelled to approach this Hon'ble court by way of filing instant writ application or,

(II) For directing the respondents to pay adequate compensation to the petitioner and a Government job to the spouse of the petitioner, for illegally encroaching the land of the petitioner by illegally encroaching the land of the petitioner and by cutting the soil 20 feet deep, from the rest land of the petitioner and constructing a road (Agamkuan-Kamaldah NH-30 link road) through the land of the petitioner, passing through the purchased/ commercial land of the petitioner, which is one of the source of livelihood for the petitioner, appertaining to Tauji no. 267, Thana no. 14, Khata no. 591, part of Khesra-289, of land has been illegally encroached by the respondents, whereas the petitioner is paying rent of the land in question to the government and rent receipt has also been issued."

At the outset, the learned counsel for the State has submitted that the road constructed over the private raiyati land of the petitioner has already stood removed during the interregnum period, which is not disputed by the learned



counsel for the petitioner, hence nothing survives for consideration in the present petition.

Accordingly, the present writ petition stands disposed off as not pressed in view of the stand taken by the respondent-State not only in the counter affidavit filed in the present case but also, as aforesaid.

(Mohit Kumar Shah, J)

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