

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15062 of 2018

Nira Devi Wife of Late Arun Kumar Karn, Resident of Village- Kanhai,
Police Station- Ghanshyampur, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary Rural Works Department, Government of Bihar, Patna.
3. The Chief Engineer North, Rural Works Department, Muzaffarpur.
4. The District Magistrate cum Collector, Darbhanga.
5. The Sub-Divisional Magistrate, Biraul, Darbhanga.
6. The Circle Officer, Kusheshar Asthan, Darbhanga.
7. The Junior Engineer, Road Construction Department, Darbhanga, Circle Darbhanga.
8. The Ward Member, Ward No. 3, Gram Panchayat- Hirani, Kusheshar Asthan, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha, Adv.
For the Respondent/s : Mr.Smt.Archana Meenakshee -GP 6

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 18-11-2024

In the instant writ petition, petitioner has prayed for
the following relief (s) :-

*(I) For Issuance of an appropriate
Writ / Writs, Order / Orders, Direction /
Directions to the Respondents to stop
construction of village road in Mauja Hirani
Khata No. 8, Khesra No. 2700 and 2701,
which is private land of the petitioner.*

*(II) For issuance of an appropriate
writ / writs order / orders, direction /
directions to the Respondents to construct the
village road of Mauja Hirani, Khata No. 8,*



Thana No. 233, Khesra No. 2708, which shown as Public Rasta in village map of Hirani but due to dictatorial attitude of the ward Member of Ward No. 3 the road is being constructed on the private land of the petitioner, without seeking any permission from her or paying any amount to her, since there are ditches on the old existing public road situated at Plot No. 2708.

(III) For issuance of an appropriate writ / writs order / orders direction / directions to the respondents to pay damage to the petitioner for unlawful use of their Khatiyani land situated in Khata No. 8, Khesra No. 2700 and 2701.

(IV) For further any other relief /reliefs, order/orders, direction/directions, may deem fit and proper in the facts and circumstances of this case.

2. Learned counsel for the petitioner submits that the land of the petitioner appertaining to Khata No. 8, Thana No. 233, Khesra No. 2700 and 2701 has been taken away by the concerned authority without any process of acquisition and road is being constructed on the land of the petitioner without any permission from her or paying any compensation to her. Learned counsel submits that petitioner has represented before the Circle Officer, Executive Engineer and the District



Magistrate, but no action has been taken on the grievance of the petitioner. Hence, the present writ petition has been filed.

3. Learned counsel for the State submits that there is no office receipt on the representation of the petitioner. However, in case petitioner files fresh representation, the same shall be considered by the concerned authority.

4. Considering the facts and circumstances of the case and the arguments advanced on behalf of both the parties, the present writ petition is disposed of with liberty to the petitioner to approach the District Magistrate-cum-Collector, Darbhanga for redressal of his grievance, which has been raised by the petitioner in the present writ petition, within a period of six weeks from the date of receipt of a copy of this order. District Magistrate-cum-Collector, Darbhanga is directed to consider and dispose of the grievance of the petitioner after giving him due opportunity, expeditiously, preferably within a period of eight weeks from the date of filing of the representation.

(Alok Kumar Pandey, J)

mcverma/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	19.11.2024
Transmission Date	N/A

