

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3919 of 2024

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1. Ashok Kumar Singh Son of Bhagwan Singh, Resident of Village - Siswa, Post - Kerwan, P.S. - Isuapur, Shyam Kauria, District - Saran at Chapra.
 2. Dinesh Kumar Singh Son of Bhagwan Singh, Resident of Village - Siswa, Post - Kerwan, P.S. - Isuapur, Shyam Kauria, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural works Department, Bihar, Patna.
2. The Principal Secretary, Rural works Department, Govt. of Bihar, Patna.
3. The Engineer-in-Chief, Rural Works Department, Govt. of Bihar, Patna.
4. The A.C.E.O, Bihar Rural Road Development Agency (BRDA) (Agency of Rural works Department, Bihar, Patna.).
5. The Executive Engineer, Rural Works Department, Work Division, Chapra - 2, Saran.
6. The District Magistrate, Saran at Chapra.
7. The Sub Divisional Officer, Marhaura, Saran.
8. The Circle Officer, Isuapur, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Adv.
For the Respondent/s : Mr. Addl. Advocate General (13)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-06-2024 Heard the parties.

2. The present writ petition has been filed for the
following relief(s):-

*(i) For issuance of appropriate writ(s)
thereby Commanding upon the
respondents to stop Constructing the road
under Mukhya Mantri Gram Sampark
Yojna (S.C.) from Village Siswa Harijan
Tola to Noth Kerwa Khar over petitioners*

Private land at Mouza- Siswa Thana No. 196, Khata No. 260, Survey Plot no. 462 Area 1 Bigha, 19 Kathas and 5 dhurs which is being Constructed without the petitioner's Consent or on payment of appropriate Compensation.

(ii) For direction upon the respondents to pay the petitioners appropriate Compensation of land in question acquired illegally for construction of road under Mukhya Mantri Gram Sampark Yojna (SC) or to remove the encroachment from the petitioners aforesaid land.

(iii) For stay of the construction of the road over petitioners aforesaid plot of land till the final outcome of this case.

3. The claim of the petitioners is/are that they are having valid right and possession over the land on which road is being constructed under *Mukhya Mantri Gram Sampark Yojana*. The land in question is at Mouza- Siswa, Post- Kerwa, Thana No. 196, Khata No. 260, Survey Plot No. 462, Area 1 Bigha, 19 Kathas and 5 Dhurs since long and are being cultivated by them.

4. Learned counsel for the petitioners submits that the petitioners intend to appear before the District Magistrate, Saran at Chapra (respondent no. 6) in next four weeks.

5. The claim of the petitioners is/are that their *raiya*

land is being used for construction of road under *Mukhya Mantri Gram Sampark Yojana*.

6. In that background, it would be appropriate for the District Magistrate, Saran at Chapra to look into the matter, hear all necessary parties and take a decision on the petition preferred by the petitioners within a period of four months from the date the petition is received in his office.

7. The writ petition stands disposed of.

(Rajiv Roy, J)

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