

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9089 of 2021

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Dipnarayan Singh, Son of Jhagru Singh, resident of Village-Bhanborha Besahon, P.O.-Narharpur, Panchayat-Borha @ Rasulpur Gaus, Ward No. 07, Circle and Block-Jandaha, Sub Divisional Office-Mahua, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Secretary, Department of Revenue and Land Reform, Government of Bihar, Patna.
3. The Secretary, Rural Works Department, Government of Bihar, Patna.
4. The Commissioner, Tirhut division at Muzaffarpur.
5. The District Magistrate, Vaishali at Hajipur.
6. The Additional District Collector, Vaishali at Hajipur.
7. The Sub Divisional Officer, Mahua, District-Vaishali.
8. The Circle Officer, Jandaha, District-Vaishali.
9. The Executive Engineer, Rural Works Department, Mahnar, District-Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bindeshwar Kumar, Advocate
For the State	:	AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 09-09-2024

Heard Mr. Bindeshwar Kumar, learned counsel for the petitioner and learned AC to GP-18 for the State.

2. The writ petition has been filed for directing the respondents to make payment of sum of Rs. 16,80,000/- (rupees sixteen lakh eighty thousands only) as compensation for the damages sustained by the petitioner by the illegal acquisition of a portion of an area of 3 decimals of the land in question of the petitioner by the respondents during construction of the road runs



from Bahsi to Rampur Borhan under Pradhan Mantri Gram Sadak Yojana. The land of the petitioner appertains to Mauza-Champrupur, Thana No.337, Khata No. 36, Plot No.589, area-20 decimals.

3. Learned counsel for the petitioner submits that the land in question is an agricultural land and the petitioner's family have been farming the land in question for the last many years and the respondent-State without giving any notice to the petitioner and without completing the process of land acquisition have illegally acquired a portion of an area of 3 decimals of land in question of the petitioner during construction of a road runs from Bahsi to Rampur Borhan under Pradhan Mantri Gram Sadak Yojana.

4. Learned counsel for the State has filed a detailed counter affidavit stating therein that there is no material on record, however, to suggest that when the road being laid in the year 2014, the petitioner had never raised any objection and there is also no material on record to suggest that the petitioner raised any grievance against laying/construction of the road in question.

5. It is admitted position that the petitioner maintained silence when the road was being constructed and did not take any grievance for more than 7 years and for the first time the petitioner



had made an application before the concerned respondents on 23.01.2021 after a long gap of about seven years when the road would have been constructed. The fact that the petitioner maintained silence when the road in question was being constructed and did not place any grievance since more than 8 years which indicates that the petitioner was agreed for construction/laying of the road and more than 8 years after the construction of the road in question, no relief can be granted, as has been sought in the present writ application.

6. The present writ petition stands dismissed.

(Rajesh Kumar Verma, J)

Harshita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12 .09.2024
Transmission Date	NA

