

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15512 of 2021**

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1. Rajnish Ranjan Son of Late Amlendra Kumar Resident of Bela Simaria, P.S. Khagaria, District Khagaria, Presently working at A-75, Phase-V, Gali No.7, Shiv Durga Mandir Marg, Aya Nagar, South Delhi, Delhi- 110047.
  2. Anish Ranjan Son of Late Amlendra Kumar Resident of Bela Simaria, P.S. Khagaria, District Khagaria.
  3. Bimlendra Kumar Mahto Son of Late Dev Narayan Mahto Resident of Bela Simaria, P.S. Khagaria, District Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
3. The Collector-cum-District Magistrate, Khagaria.
4. The Collector-cum-District Magistrate, Begusarai.
5. The District Development Commissioner, Khagaria.
6. The District Development Commissioner, Begusarai.
7. The Executive Engineer, PHED Begusarai.
8. The Panchayati Raj Officer, Khagaria.
9. The Panchayati Raj Officer, Begusarai.
10. The Sub-Divisional Officer, Khagaria.
11. The Sub-Divisional Officer, Begusarai.
12. The Block Development Officer, Khagaria, District Khagaria.
13. The Block Development Officer, Bakhri, District Begusarai.
14. The Circle Officer, Khagaria, District Khagaria.
15. The Circle Officer, Bakhri, District Begusarai.
16. The Mukhiya, Gram Panchayat Raj Bahuara, District Begusarai.
17. The Panchayat Secertary, Gram Panchayat Raj Bahuara, District Begusarai.
18. Smt. Rina Devi, Ward Member, Ward No. 9, Gram Panchayat Raj Bahuara, District Begusarai.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Arjun Kumar, Advocate        |
| For the Respondent/s | : | Mr. Kameshwar Pd. Gupta, G.P.-10 |
|                      |   | Mr. Satya Vrat, A.C. to G.P.-10  |

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**



ORAL ORDER

10 15-04-2024 Heard learned Counsel for the petitioner and the State.

2. The present petition has been preferred for the following reliefs:-

*(i) to issue an appropriate writ/writs and direction/directions to the Respondents to remove the PCC Road constructed over the land of the petitioner bearing Khata No. 4, Plot No. 313 & 316 Khata No. 39, Plot No. 312 all situated in Mauza Bela Simaria, Thana No. 243, Anchal Khagaria, District Khagaria and if the said road has been constructed for the public purposes then the Respondents may give appropriate compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 to the petitioners;*

*(ii) to issue an appropriate writ/writs and direction/directions to the Respondents to remove the Bore-well, Pump-set and water Tank from the land of the petitioner bearing Khata No. 4, Plot No. 313 situated in Mauza Bela Simaria,*



*Thana No. 243, Anchal Khagaria, District Khagaria and if the said Bore-well, Pump-set and Water Tank has been established for the public purposes then the Respondents may give appropriate compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 to the petitioners.*

3. Though number of affidavits is/are on record, the petitioner and the State are adamant and there is confusion whether the construction so made is on the *raiya* land of the petitioner and/or the same is different land *inasmuch* as the counter-affidavit shows that a construction so made has been on Plot No.-55 which has nothing to do with the Kheshra No.-313 of the petitioner.

4. However, the case of the petitioner is that his land being in Khagaria District, it is the Begusarai authorities who are trying to encroach the same as his land is just on the border of Khagaria and Begusarai. Learned Counsel submits that he will be satisfied if is allowed to approach the Collector, Khagaria with all the documents within four weeks from today to satisfy him on all the points so that he is protected once he is



able to make out a case.

5. In view of the said limited prayer that has been made by the learned Counsel for the petitioner, the writ petition stands disposed of allowing the petitioner to approach the Collector, Khagaria within four weeks from today.

6. In case, he approaches with all the relevant documents within the stipulated period, the same shall be taken to is logical conclusion within a period of six months.

7. If the Collector, Khagaria comes to a conclusion that the petitioner has made out a case, corrective measures should be taken as the land in question according to the learned Counsel for the petitioner is situated on the border of Khagaria and Begusarai making him vulnerable.

8. The writ petition stands disposed of.

**(Rajiv Roy, J)**

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