

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21935 of 2014

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Ram Naresh Singh Son of Ram Lakhan Singh Resident of Village - Yadu Bigha, Post - Chaurahi, Police Station - Haspura, Block - Haspura, District -Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Aurangabad.
3. The Superintendent of Police, Aurangabad.
4. The Anchala Adhikari, Haspura, Aurangabad.
5. Prabhu Singh Son of Sri Bachu Yadav
6. Sakichan Singh Yadav Son of Late Chaturi Yadav
7. Ram Janam Yadav Son of Sri Dhukhan Yadav
8. Subha Yadav Son of Late Rameshwar Yadav
9. Ramanand Yadav Son of Sri Ramchandra Yadav
10. Janeshwar Yadav Son of Sri Ramashish Yadav
11. Dinesh Yadav Son of Sri Karu Yadav
12. Pundeo Yadav Son of Sri Ramdeo Yadav
13. Sudhir Yadav Son of Sri Ramwaran Yadav
14. Saroj Yadav Son of Sri Lal Yadav
15. Subodh Yadav Son of Sri Dinesh Yadav
16. Sigan Yadav Son of Sri Ram Janam Singh Yadav
17. Arvind Yadav Son of Sri Surya Yadav All resident of village - Sohar Bigha, Police Station - Haspura, District - Aurangabad.
18. Ramesh Singh, S/o Late Rajnandan Singh, resident of Village- Chourhi P.S. Haspura, Dist.- Aurangabad.
19. Rural Work Department, Govt. of Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate
For the Respondent/s : Mr. Kumar Alok, SC-7

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-07-2024 The present writ petition has been filed
seeking the following reliefs:-



“1. i) For issuance of an appropriate writ commanding respondents to remove the forceful encroachment made by the respondents as well as private respondents over khata no. 29, Plot no. 549 in which the earth filling work started and filled up the earth over the same plot having area 14 ft width and 150 ft length and earth has also been taken from the same plot as to when no compensation amount has given to the petitioner till date.

ii) For issuance of an appropriate writ commanding the respondents to give the compensation amount to the petitioner having area of 14 ft width and 150 ft. length and earth has been taken from Khata no. 79, Plot no. 549.”

2. At the outset, the learned counsel for the respondent-State has submitted, by referring to the counter affidavits filed on behalf of the respondent no. 3 as also the Rural Works Department, Work Division, Daudnagar, that no work of the proposed road has been executed on account of objections having been raised by the local people, however, in case any work has been executed over the land of the petitioner, the same would be cleared forthwith, inasmuch as the land



of the petitioner is admittedly a raiyati land purchased by the father of the petitioner by way of valid and legal sale deeds in question.

3. As far as the issue of compensation vis-a-vis the illegal filling of soil over the private raiyati land of the petitioner is concerned, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the learned Civil Court having competent jurisdiction for agitating his grievances regarding grant of adequate compensation. Liberty so sought is granted.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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