

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11059 of 2024

=====

Phulendra Kumar, Son of Rajeshwar Yadav, Resident of Village- Chaughara,
Ward No. 08, Police Station- Supaul, District- Supaul, Bihar- 852108.

... .. Petitioner/s

Versus

1. The District Magistrate, Supaul.
2. The Executive Engineer, Road Construction Department, Road Division,
Supaul.
3. The Assistant Engineer, Road Construction Department, Road Division,
Supaul.
4. The District Public Grievance Redressal Officer, Supaul.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ravindra Nath Dubey, Advocate
For the Respondent/s	:	Mr. Kumar Alok, SC-7
		Mr. Satyeshwar Prasad, AC to SC-7

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-07-2024 Heard learned Advocate for the petitioner and learned
Advocate for the State.

2. The petitioner by invoking the jurisdiction of this Court seeking a direction upon the respondent to ensure payment of compensation amount for his raiyati land situated in Mouza Hardi, Thana No. 207, Pargana Malhani Gopal, Anchal Supaul, Police Station Supaul, District Supaul bearing Khata Nos. 770, 762 Plot Nos. 3954, 3955 measuring 04 Katha, 08 Dhur and 05 Dhurki which land was used for the purposes of construction of Supaul-Singheshwar Road.

3. Learned Advocate for the petitioner contended that



the raiyati land of the petitioner has been used for the purposes of the construction of road without any authority under the law. Being aggrieved the petitioner approached before the District Public Grievance Redressal Authority, Supaul vide Annexure 2 to the writ petition wherein order has been passed to pay compensation.

4. Despite the order passed by the District Public Grievance Redressal Authority, till date the official respondents are not making payment of compensation. In the aforesaid premise, the petitioner has approached this Court.

5. On the other hand learned Advocate for the State submitted that there is already an order in favour of the petitioner by the District Public Grievance Redressal Authority and this Court while exercising the jurisdiction under Article 226 of the Constitution of India cannot act as an executing Court. It is also contended that from the record it appears that the road was constructed much earlier and for the first time the petitioner has approached before the authority in the year 2017.

6. At this juncture, learned Advocate for the petitioner submitted that the petitioner has also filed representation before the respondent no. 2, the copy of which is marked as Annexure 3 series.



7. Be that as it may, considering the nature of the grievance of the petitioner and the fact that the representation of the petitioner is pending consideration before the respondent no. 1 and 2, this Court deems it proper to dispose of the writ petition with a direction to the respondent no. 1 to consider the pending representation of the petitioner and dispose of the same by reasoned and speaking order, preferably within a period of 8 weeks from the date of receipt/production of a copy of this order.

(Harish Kumar, J)

supratim/-

U			
---	--	--	--

