

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11467 of 2024

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Prem Chandra Rai @ Prem Chand Rai Son of Late Ramashish Rai, resident of
Village-Sahabajpur, P.O.-Vishnapura, P.S.-Bihta, District-Patna (Bihar).
... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The District Magistrate, Patna, District-Patna (Bihar).
3. The Deputy Collector Land Reforms, Danapur, District-Patna (Bihar).
4. The Circle Officer, Danapur, District-Patna (Bihar).
5. The Executive Officer, Nagar Parishad, Danapur Nizamat, District-Patna (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Abhishek, Adv.
For the State	:	Mr. Kamlesh Kishore, AC to SC12
For the Resp. No.5	:	Mr. Ashok Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL JUDGMENT

Date : 05-08-2024

Heard learned counsel for the parties.

2. In this writ application, the petitioner has
prayed for following relief(s):-

*"A. For directing the Respondent
Authorities to remove the construction of road
made over the Raiyati Land of the Petitioner by
the Respondent Authority without his consent as
well as without following the procedure of
acquisition of land for which representation of
the Petitioner is pending before the Respondent
Authorities.*



B. For directing the Respondent Authorities to pay the amount of compensation to the Petitioner for his Raiyati Land over which a road has been constructed by the Respondent Authorities without following the due process of law.

C. For directing the Respondent Authorities to decide the Representation dated 15.05.2024 filed by the Petitioner before the Respondent Authorities with respect to his grievances regarding illegal construction of Road over his Raiyati Land."

3. The matter relates to the land recorded under Khata No.05, Khesra No. 214, Tauzi No. 5170, Thana No.22, Area 1040 Sq. Ft. situated at Mauza Jalalpur, Dist. Patna.

4. Learned counsel for the petitioner submits that the petitioner came in possession over the land, in question, vide registered sale deed no. 2747 dated 10.05.2002 and his name was also mutated in the Government Record of Right. He further submits that in the year 2023, when the petitioner visited his land for making boundary wall, he found that a road has been constructed over the same by the Nagar Parishad, Danapur Nizamat.



5. Learned counsel for the petitioner further submits that the petitioner has filed representation dated 15.05.2024 before the respondent authorities, raising his grievance regarding illegal construction of Road or payment of amount of compensation but, no action has been taken by the respondent authorities and the same is still pending consideration.

6. Learned counsel for the petitioner, accordingly, seeks a direction upon the District Magistrate, Patna/Respondent No.2 to dispose of the pending representation dated 15.05.2024 filed by the petitioner, within a fixed time frame.

7. Per contra, the learned counsel for the respondent-State submits that in case the aforesaid representation dated 15.05.2024 is still pending, the same shall be disposed of, within a stipulated time frame, as is fixed by this Hon'ble Court.

8. Having heard learned counsel for the parties and considering the entire facts and circumstances of the case, this Court deems it fit and proper in the interest of



justice to direct the District Magistrate-cum-Collector, Patna, who is the competent authority to dispose of the aforesaid representation, in case the same has not yet been disposed of, by passing a final order in accordance with law and after hearing the affected parties, within a period of six weeks from the date of receipt/production of a copy of this order.

9. The writ petition stands disposed of on the aforesaid terms.

(Rudra Prakash Mishra, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.08.2024
Transmission Date	

