

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11299 of 2018

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Khalilur Rahman Son of Ainuddin R/o Village- Mushara, P.S. Terahgachh,
District- Kishanganj.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Rural Works Department, Bihar, Patna.
2. The Executive Engineer, Rural Works Department, Works/ Executive Commissionery, Kishanganj.
3. The District Magistrate Kishanganj.
4. The Land Acquisition Officer, Kishanganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. J.S.s Arora, Adv.
	:	Mr. Firoz Ahmad, Adv.
For the Respondent/s	:	Mr.Dhirendra Kumar, AC to AAG-6

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT

Date : 27-11-2024

In the instant petition, the petitioner has prayed for
following relief(s):-

*“This writ application is for a
direction to the respondent to acquire and
pay the compensation amount to the
petitioner with regard to the Land of the
petitioner appertaining to Mauza
Khaniyabad, Thana No.73, Khata No.558,
Khesra No.4062 & 4064 area 1 acre which
is personal land of the petitioner on which a
bridge and pucca road under Pradhan
Mantri Sadak Yojna has been constructed by
the respondents illegally without acquiring*



the same.”

2. By virtue of I.A. No.1/2024 has been filed for amendment of relief portion in regard to area of the land which may be read as 1.31 acres in place of 1.00 acre. It has been submitted on the basis of report submitted by the Circle Officer that the area of land of the petitioner which has been used for construction of bridge and approached road is 1.01 acre which is factually incorrect but the actual area which has been used for construction of bridge is 1.31 acre land as is evident from Annexures-10 and 11 of the reply of the counter affidavit of the petitioner. Only dispute which has arisen is that in the counter affidavit, in para 17 it is mentioned that only 1.01 acre of the land of the petitioner has been used for construction of approach road. There is difference to the extent of 0.31 acre land between the petitioner and the concerned authority. He further submits that petitioner has represented before the D.M. with regard to the extent of land that has been used for the purpose of construction of approach road to the bridge but no action has been taken and the same is still pending.

3. Learned counsel for the State submits that the representation of the petitioner does not bear any official receipt of office of D.M. He, however, submits that if the petitioner files a fresh representation before the Circle Officer regarding



extent of land which has been used by the concerned authority for approach road of connecting bridge, the concerned authority will look into the matter.

4. Considering all the aspects of the matter, the present writ petition stands disposed of with the direction, if the petitioner may represent his grievance with regard to the extent of land used by the concerned authority within four weeks from the date of receipt of the order and the concerned authority may pass appropriate order within eight weeks from the date of receipt of the representation expeditiously with regard to the compensation amount.

5. Pending I.A., if any, stands disposed of.

(Alok Kumar Pandey, J)

amitkumar/-

AFR/NAFR	AFR
CAV DATE	N/A
Uploading Date	28.11.2024
Transmission Date	N/A

