

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12273 of 2018

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Meera Devi W/o Akchay Kumar Mandal R/o Village- Mohalla- Mohanpur,
P.S.- Goradih, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Road Construction Department, Bihar, Patna
3. The District Magistrate, Bhagalpur
4. The Superintending Engineer, Road Construction department, Bhagalpur
5. The Executive Engineer, Road Construction department, Bhagalpur
6. The Circle Officer, Goradih, District- Bhagalpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Adv.
For the Respondent/s : Mr.Amit Prakash - Ga- 13

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 31-08-2024 The present writ petition has been filed seeking the following relief:-

“1. That this writ application is being filed for issuance of an appropriate writ/writs, order or orders in the nature of mandamus for commanding and directing the respondents concern not to demolish the house of the petitioner without inquiring about the same as the petitioner purchased the land, vide kewala no 3376, dated 19.03.2002 and since then the petitioner along with her family member are residing there after constructing a house, which was illegally marked by the officials of the



respondent Road Construction Department for widening of road and they wanted to demolish the part of house, which is illegal and further the respondent be restrained till measurement and directed not to demolish the house until the compensation amount is paid.”

2. At the outset, the learned counsel for the Respondents submits, by referring to the counter affidavit filed in the present case that measurement was conducted in the presence of the petitioner as well as in the presence of the Junior Engineer of the Department, whereupon it has been found that the wall of the petitioner is not encroaching upon the road rather it is located 7 Kari East of the road, hence, the Respondents are not proposing to demolish the wall or house of the petitioner, thus, the present writ petition has been rendered infructuous.
3. The learned counsel for the petitioner submits that if it be so, the present writ petition be disposed off.
4. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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