

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24207 of 2018

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1. Kokil Prasad Gupta @ Kokil Sao S/o Doman Sao R/o Village-Bela, P.S.-Tandwa, District-Aurangabad
 2. Mahadeo Prasad Gupta S/o Ram Sundar Sao R/o Village-Bela, P.S.-Tandwa, District-Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Works Department, Government of Bihar, Patna
2. The Secretary Rural Works Department, Government of Bihar, Patna
3. The District Magistrate Aurangabad
4. The Block Development Officer Nabinagar, Aurangabad
5. The Circle Officer Block-Nabinagar, District-Aurangabad
6. The Executive Engineer Rural Works Department, Government of Bihar, Aurangabad

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Avinash Shekhar, Advocate
For the Respondent/s : Mrs. Archana Meenakshee, GP-6

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 01-12-2025 Heard the parties.

2. The present petition has been preferred for the grant of following relief(s):

“(i) to issue an appropriate writ, order or direction in the nature of mandamus commanding the Respondents to pay adequate compensation, in accordance with law, to the Petitioners for the portion of their land which has been encroached upon by the Respondents



and used for construction of road under the Pradhan Mantri Gram Sadak Yojana.

(ii) the Hon'ble Court may adjudicate and hold that the action of the Respondent in encroaching upon and using the land of the Petitioners, for construction of road under Pradhan Mantri Gram Sadak Yojna, that too without written consent or without payment of compensation, is an act of mala fide and complete arbitrary exercise of authority/power.

(iii) the Hon'ble Court may adjudicate and hold that the land of any cannot person any State be utilized by authority/machinery without his consent or without its acquisition in accordance with law after payment of due compensation.

(iv) the Hon'ble Court may further adjudicate and hold that the in action of the Respondent Authorities in this matter is completely mala fide and complete arbitrary exercise of authority/power.

(v) the Hon'ble Court may award the



cost of litigation and suitable compensation to the Petitioners for the loss and damages caused on account of the illegal and arbitrary actions of the Respondent Authorities.

(vi) to grant any other relief or reliefs which the Petitioners may be found entitled to in the facts and circumstances of the case.”

3. Learned counsel for the petitioners prays for withdrawal of the petition as the grievance has been redressed.

4. Accordingly, the writ petition is dismissed as withdrawn.

(Rajiv Roy, J)

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