

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17674 of 2016

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Ramchandra Sao S/o Late Nokhi Sao, Resident of Village P.O. - Ilra, P.S.
Cherki, District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, Gaya.
3. District Land acquisition officer, Gaya.
4. Executive Engineer, Road Construction Department Road, Devision No.
Gaya.
5. Circle Officer, Bodh Gaya.
6. Executive Engineer, Rural Works Department, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arbind Kumar Singh, Advocate
For the Respondent/s	:	Mr. Manoj Kr. Ambastha, SC26
	:	Mr. Tripurari Nath Ambastha, AC to SC26

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner prays for and is
allowed to implead the Rural Works Department, through its
Executive Engineer Gaya as respondent no.6 in course of day.

3. This petition has been preferred for following
reliefs:

*“For issuance of a writ of mandamus
or any other appropriate writ/order/direction
commanding respondent authorities to remove
the unauthorized construction of road upon the
private land of petitioner from an area of 40.709
dec. of Khata No.131, Plot No. 629, Khata No.
47, plot no. 351 and 342, Khata No. 124, Plot
no. 343 of village Ilra in the District of Gaya or
alternatively for grant of compensation to*



petitioner after starting a land acquisition proceeding with respect to aforesaid land and for grant of any other suitable relief/reliefs for which petitioner is found entitled in the eye of law.”

4. A counter affidavit has come on behalf of the respondent no.6, Executive Engineer, Road Division-I, Gaya according to which, the land in question was under use for a long time and the Road Construction Department has only strengthened the same road after handing it over by the Rural Works Department as liability free.

5. This counter affidavit was served upon the learned counsel for the petitioner on 30.03.2017 and there is no rebuttal to it.

6. At this stage, learned counsel for the petitioner submits that he shall be approaching the Executive Engineer, Rural Works Department, Gaya (respondent no.6) within four weeks.

7. Giving liberty to the petitioner to approach the Executive Engineer, Rural Works Department, Gaya (respondent no.6) and without commenting on the merits of the case, this writ petition is disposed of.

(Rajiv Roy, J)

anand/-

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