

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4414 of 2025

1. Ashok Kumar Singh Son of Bhagwan Singh Resident of Village-Siswa Post Kerwan, P.S.-Isuapur, Shyam Kauria, District-Saran at Chapra.
2. Dinesh Kumar Singh Son of Bhagwan Singh Resident of Village-Siswa Post Kerwan, P.S.-Isuapur, Shyam Kauria, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Rural Works Department, Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
3. The Engineer-in-Chief, Rural Works Department, Govt. of Bihar, Patna.
4. The A.C.E.O., Bihar Rural Works Development Agency (BRRDA) (Agency of Rural Works Department, Bihar, Patna).
5. The Executive Engineer, Rural Works Department, Rural Works Department, Work Division, Chapra-2, Saran.
6. The District Magistrate, Saran at Chapra.
7. The Sub-Divisional Officer, Marhaura, Saran.
8. The Circle Officer, Isuapur, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh
For the Respondent/s : Mr.Government Pleader (26)

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 24-03-2025 Heard the parties.

2. The present writ petition has been filed for the following relief(s):-

(i) For issuance of appropriate writ(s) thereby Commanding upon the respondents to stop Constructing the road under Mukhya Mantri Gram Sampark Yojna (S.C.) from Village Siswa Harijan ola to Noth Kerwa Khar over petitioners Private land at Mouza- Siswa Thana No. 196, Khata No. 260, Survey Plot no. 462 Area 1 Bigha, 19



Kathas and 5 dhurs which is being Constructed without the petitioner's Consent or on payment of appropriate Compensation.
(ii) For direction upon the respondents to pay the petitioners appropriate Compensation of land in question acquired illegally for construction of road under Mukhya Mantri Gram Sampark Yojna (SC) or to remove the construction from the petitioners aforesaid land.
(iii) For stay of the construction of the road over petitioners aforesaid plot of land till the final outcome of this case.

3. The petitioners' claim is that the road was constructed after encroaching their *raiya* land. The petitioners intended for compensation of the land which is said to be encroached for construction of the road. Initially, the petitioners' filed CWJC No. 3919 of 2024 which was disposed of by the co-ordinate Bench vide order dated 24.06.2024 and the co-ordinate Bench directed the District Magistrate, Saran at Chapra to look into the matter, hear all necessary parties and take a decision on the petition preferred by the petitioners within a period of four months from the date of receipt of the petition in his office.

4. Later on, the petitioners' filed a petition before the District Magistrate, Saran at Chapra and after hearing the parties, the District Magistrate, Saran at Chapra has passed a detailed order dated 18.10.2024. The operative portion of the



order passed by the District Magistrate shows that the petitioners did not produce any valid document in support of their claims. Accordingly, the petition was dismissed.

5. I do not find any merit in the present writ application. Accordingly, the present writ petition is dismissed.

6. However, if the petitioners’ claim their *raiya* right over the land, in question, they may take the recourse of civil court of competent jurisdiction.

(Nawneet Kumar Pandey, J)

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