

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11753 of 2015

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1. Sachchidanand Singh and Ors Son of Late Jagnath Singh,
 2. Umesh Chandra, Son of Late Hargovind Singh,
 3. Santosh Kumar, Son of Arun Kumar,
 4. Siyamani Devi, Wife of Sadanand Prasad Singh,
 5. Vivek Kumar, S/o Dharmendra, All residents of village - Biku, P.S. - Nardiganj, District - Nawadah.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, Nawadah.
3. The Circle Officer, Nardiganj Block, Nawadah.
4. The Executive Engineer, Rural Works Department, Workd Division, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Adv. Mr. Sudhanshu Shekhar, Adv.
For the Respondent/s	:	Mr. Devendra Kr Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 14-07-2025 Heard Mr. Ajay Kumar Singh, learned counsel for
the petitioner and the State.

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

*(i) For issuance of direction upon
the respondent authorities to immediately
stop construction of road in unauthorized
manner by the Executive Engineer,
Respondent No. 5 who has started
construction work of road over the Raiyati
Land of the petitioners without either*



acquiring their land or even obtaining their consent for construction.

(ii) For further direction upon respondent authorities to restore the actual physical topography of the Raiyati Land of the petitioners which has been forcefully changed by the respondent authorities by using J.C.B. Machine.

(iii) For further direction upon respondent authorities that in alternative if respondent authorities wants to construct road over the Raiyati land of the petitioner, then they should first acquire their land after following the procedure prescribed and pay compensation and if they do not intend to acquire then their land which has been de-shaped should be handed over to them after removing the earth work done over the same.

(iv) For any other relief or reliefs for which the petitioner is found entitled in the facts and circumstances of the case.

3. Learned State Counsel has taken this Court to the counter affidavit on behalf of the respondent nos. 2 to 5 with specific reference to paragraph 11 to 13 which makes it clear that the alignment of the road crosses through R.S. Plot Nos. 2447/2471 carved out of C.S. Plot No. 1551 and as per the report, the Plot Nos. 2339, 2338, 2280 and 959 are not coming under the alignment.



4. Mr. Singh representing the petitioner submits that if such is the stand of the State, they do not have any case.

5. However, liberty be granted, if at all, they are aggrieved if any further step is taken by the respondents.

6. Granting liberty and since the matter has become infructuous, the same is disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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