

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15799 of 2016

1. Kusum Kumari person with disability W/o Virkesh Kumar. Ward No. 6, Trukiya Hilsa Nagar Parishad, District Nalanda.
2. Rampari Devi W/o Jadunandan Prasad
3. Sharmila Devi W/o Shiv Kumar Prasad
4. Ahilya Devi W/o Anil Kumar
5. Kiran Kumari W/o Om Prakash
6. Anita Devi W/o of Sanjay Kumar All resident of 2 to 6 Shiv Ganga Nagar, Ward No. 6, P.O and PS. Hilsa, District Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Road Construction R.C.D.. Bihar, Patna.
3. The Engineer-in-chief, Central Design Organization , Road Constrction Department Bihar Patna.
4. The Executive Engineer, Road Construction Department, Road Division, Hilsa, District Nalanda.
5. The District Collector, Nalanda.
6. The District land Acquisition Officer, Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate
	:	Mr. R. K. Rajan, Advocate
For the Respondent/s	:	Mr. Chitranjan Sinha- PAAG-2

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 30-08-2025 Heard Mr. Sunil Kumar, learned counsel for the
petitioners and learned counsel representing the State.

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

*“for issuance of writ of PROHIBITION
restraining the respondent no. 1 to 3 from acting*



upon the report dated 19.09.2014 issued by a 3 members committee whereby and whereunder the committee has recommended for acquisition of land as designed as alignment no.1 and also upon consequential press communique dated 12 August 2016 as well.”

3. The petitioners came here with a simple prayer that the objection that has been preferred before the respondent no.4, the Executive Engineer, Road Construction Department, Road Division, Hilsa, Nalanda be disposed of (Annexure-6 to the petition). The petitioners claim to be having land at the particular place where a decision has been taken for construction of By-Pass Road through Gaunda Kanar Khandas in village Dharampur, Hilsa, Nalanda. According to the petition, it is west of main State Highway connecting Fatwa in Patna with Hilsa in Nalanda.

4. A counter affidavit has come on behalf of the respondent no.2 to 4 and despite the categorical statement made by the petitioners that they have preferred an objection petition before the respondent no.4, the Executive Engineer concerned, he/she has chosen to skip the said paragraph no.34. In that background, at one point of time this Court wanted to impose



the cost upon Mr. Rajkishore Rajesh, the then Executive Engineer, Road Construction Department, Hilsa, Nalanda.

5. However, the matter has already remained pending for nine years, instead of asking him to file fresh affidavit, it would be appropriate that the petitioners separately approach the respondent no.3, the Engineer in Chief, Central Design Organization, Road Construction Department, Bihar, Patna alongwith supporting documents in next four weeks.

6. If such separate petition(s) is/are filed by the petitioner(s) before the respondent no.3, the Engineer in Chief, Central Design Organization, Road Construction Department, Bihar, Patna, the same shall be taken to its logical conclusion by 31.03.2026.

7. Any development that takes place in between shall be subject to the final outcome of the order passed by the concerned respondent.

8. The writ petition stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

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