

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19364 of 2024**

1. Priyanka Devi W/o Bhola Manjhi, R/o Sivalapar Musahari, P.S. Shahpur, P.O. Neura, District Patna, Bihar 801113.
2. Ruby Devi, W/o Nitin Kumar, R/o Sivalapar Musahari, P.S. Shahpur, P.O. Neura, District Patna, Bihar-801113.
3. Budhiya Devi, W/o Late Mishri Manjhi, R/o Sivalapar Musahari, P.S. Shahpur, P.O. Neura, District Patna, Bihar-801113.
4. Juna Manjhi, s/o Late Mishri Manjhi, R/o Sivalapar, P.S. Shahpur, P.O. Neura, District Patna, Bihar-801113.
5. Pinki Kumari, D/o Indradev Manjhi, R/o Sivalapar Musahari, P.S. Shahpur, P.O. Neura, District Patna, Bihar-801113.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Main Secretariat, Patna 800015.
2. National Highway Authority of India through its Chairman, G 5 and 6, Sector-10, Dwarka, New Delhi-110 075.
3. Department of Revenue and Land Reforms, Government of Bihar, through its Principal Secretary, Vikas Bhawan, Patna 800015.
4. Urban Development and Housing Department through its Principal Secretary, Vikas Bhawan, Patna 800015.
5. SC/ST Welfare Department, Government of Bihar, through its Principal Secretary, Vikas Bhawan, Patna 800015.
6. Ministry of Housing and Urban Affair, through its Secretary, Nirman Bhavan, New Delhi 110011.
7. Collector cum District Magistrate, Patna District, Patna.
8. Competent Authority cum Land Acquisition Officer, Patna District, Patna.

... .. Respondent/s

**Appearance :**

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| For the Petitioner/s | : | Mr. Shashwat, Advocate              |
| For the State        | : | Mr. Sita Ram Yadav, GP-16           |
|                      |   | Mr. Rakesh Kumar Sinha, AC to GP-16 |

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      15-01-2025      The present writ petition has been filed seeking the following reliefs:-



*"1. A. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) for holding that the demolition of the houses of the petitioners located at Shivala par Musahari, Mauza-Dariyapur. Danapur, without any rehabilitation and resettlement scheme/plan is against the established principle of law which has been laid down by the Hon'ble Courts, as such void, illegal and bad in law,*

*B. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) directing the Respondents to rehabilitate and resettle the Petitioners residing at Shivalapar Musahari located near Shivala More Danapur-Bihtta Road, P.S Shahpur, Patna by providing patta (land) as per provisions of State's Existing schemes for providing land to landless and homeless persons from SC/ST Community and further granting adequate compensation to build structure on it.*

*C. For issuance of an appropriate writ of mandamus or any other appropriate writ(s) or order(s) or direction(s) for directing the Respondent No.5 i.e the Urban Development and Housing Department, Patna to provide housing to the displaced petitioners, who have been rendered houseless due to demolition being carried out for constructing the Danapur-Bihtta Elevated Corridor.*

*D. For issuance of an appropriate writ of mandamus or any other appropriate writ(s) or order(s) or direction(s) for directing the respondents that during the pendency of this writ petition further demolition/ displacement (if there is any) of the houses of the petitioners at Shivala Par Musahari, Mauza Dariyapur, Patna may kindly be*



*directed to remain stayed until alternative arrangement is made for rehabilitation.*

*E. For issuance of an appropriate writ in the nature of mandamus or any other appropriate writ(s), order(s), or direction(s) commanding the Respondents to present before this Hon'ble Court a comprehensive and effective rehabilitation plan. The said plan is necessitated by the demolition of the Petitioners' houses at Shivala Par Musahari, which has resulted in forced displacement of vulnerable individuals, including senior citizens, pregnant women, and lactating mothers, who are now left homeless and shelterless on the streets, enduring the extreme hardship of the ongoing shivering cold.*

*F. For issuance of an appropriate writ of mandamus or any other appropriate writ(s) or order(s) or direction(s) for directing the Respondents to ensure provision of temporary accommodation and shelter to the petitioners in view of the ongoing demolition, which has resulted in their displacement and rendered them homeless during the ongoing harsh winter season.*

*G. For issuance of an appropriate writ of mandamus or any other appropriate writ(s) or order(s) or direction(s) for directing the Respondents to provide immediate relief to the petitioners by ensuring food packets, portable water, temporary toilets, power supply, education for children of the petitioners, livelihood opportunity, primary health centres, proper health checkup facilities including ante- natal care to pregnant women and post-natal care to the petitioners, immunization of petitioners' infants, if any and further direct the anganwadi centres to*



*provide nutrition and other facilities as per the ICDS scheme etc., till the affected families get resettled."*

2. After some arguments, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the respondent-authorities for redressal of their aforesaid grievances. Liberty, so sought, is granted.
3. The writ petition stands disposed off.

**(Mohit Kumar Shah, J)**

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