

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25022 of 2018

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Avanish Kumar S/o Sudhakar Prasad Sharma R/o Chanakya colony, Dighi
Khurd, P.S.- SADAR District -Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Land Development Officer Gaya Collectariat, Vaishali
3. Land Acquisition Officer VAISHALI Collectariat, VAISHALI
4. Executive Engineer RWD , VAISHALI
5. National Highways Authority of India, Vaishali, Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs.Archana Sinha @ Archana Shahi, Sr. Advocate
For the Respondent/s : Mr.Md. Khurshid Alam- Aag12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2025 Learned Senior counsel for the petitioner, Mrs.

Archana Sinha prays for and is allowed to implead the National

Highways Authority of India, Vaishali, Bihar as opposite party

no.5 in course of the day.

2. Heard the parties.

3. The present petition has been preferred for the

following relief/s:

*(i) for directing the respondents to remove
the road/pul from the land of the petitioner
which was constructed without taking
permission from the owner of the land and
without acquiring the same;*



(ii) for directing the respondents to pay the compensation from the date of construction with interest;

(iii) any other relief/reliefs may be granted to the petitioner for which he is found to be entitled for.

4. The details of the land stand incorporated in paragraph-5 read as follows:

“Thana no 238, Khata no. 55, Kheshra no. 30 Area-17½ decimal and another land of same Thana, having Khata no. 239, Khasera no. 29, area-33 decimal at village Shubhai in Panchayat Bishunpur Basant at Vaishali”.

5. It is the case of the petitioner that though he has no objection to the people using his land for movement, one fine morning, the respondents already resorted to construction of the road. The submission is that neither any compensation given nor any request made and/or any consent of the local Panchayat taken before this act of the respondents. Learned Senior counsel also submits that permission be granted to make necessary correction in column two of the list of the respondents.



6. The matter is of the year 2018 and there is no reply to the said writ petition.

7. Either the case has to be adjourned with cost to be paid by the respondents, alternatively, the matter can be disposed of with a direction to the Collector, Vaishali as also the District Land Acquisition Officer, Vaishali to look into the fresh representation of the petitioner to be filed by him in next four weeks.

8. Needless to add that before coming to the conclusion, all the necessary parties including the National Highways Authority of India and other respondents will be noticed, heard, inspection of the land in question shall be taken into account before the reason order is passed by the authority.

9. The writ petition is disposed of.

(Rajiv Roy, J)

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