

Sarveshwar Pandey and ors Vs. the State of Bihar and ors

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SooperKanoon Citation : sooperkanoon.com/975153

Court : Patna

Decided On : May-11-2012

Appellant : Sarveshwar Pandey and ors

Respondent : The State of Bihar and ors

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Miscellaneous Jurisdiction
Case No.3336 of 2011 Sarveshwar Pandey & Ors Versus The State Of Bihar &
Ors ----- 5. 11.01.2012 Counsel for the petitioner with
reference to the representation filed at Annexure-2 submits that all the three
petitioners had filed their objection. Annexure-C to the show cause, the report of
the Executive Engineer refers only to petitioner no. 1 having filed an objection.
Even that report is inconclusive and recognizes that certain persons have objected
while others have voluntarily given their lands. There is no finding that the lands of
the petitioners have been intruded only to the extent permissible of two feet, by the
order of the Court. The Court requires the District Magistrate to place before the
Court the reasons and speaking order that may have finally been passed by him
after consideration of the objections in light of the direction contained in the order
of the Court. At the request of the State, list at the same position on the 8th of
February, 2012. P. Kumar (Navin Sinha, J.)