

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22621 of 2013

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1. Manish Kumar aged about 26 years Son Of Shri Rajnandan Singh Resident Of Village-Dariyapur, P.O.-Mittanchak, P.S.-Parsa Bazar, District-Patna.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna
3. Principal Secretary, Rural Development Department, Government Of Bihar, Patna
4. District Magistrate, Patna, District-Patna
5. Deputy Collector, Land Reforms, Sadar Patna
6. Land Acquisition Officer, Patna, District-Patna
7. Sub Divisional Officer, Patna Sadar, District-Patna
8. Circle Officer, Sampatchak, District-Patna
9. Vineshar Ram Son Of Late Pachu Ram At Present Residing At Dariyapur Nahar Par, P.O.-Mittan Chak, P.S.-Parsa Bazar, District-Patna
10. Lallu Ram Son Of Vineshar Ram At Present Residing At Dariyapur Nahar Par, P.O.-Mittan Chak, P.S.-Parsa Bazar, District-Patna
11. Sundar Ram S/O not known At Present Residing At Dariyapur Nahar Par, P.O.-Mittan Chak, P.S.-Parsa Bazar, District-Patna
12. Bitu Kumar S/O not known At Present Residing At Dariyapur Nahar Par, P.O.-Mittan Chak, P.S.-Parsa Bazar, District-Patna
13. Rajesh Ram S/o not known At Present Residing At Dariyapur Nahar Par, P.O.-Mittan Chak, P.S.-Parsa Bazar, District-Patna
14. Bhola Kumar S/o not known At Present Residing At Dariyapur Nahar Par, P.O.-Mittan Chak, P.S.-Parsa Bazar, District-Patna
15. The Superintendent Of Police, District-Patna
16. The Sub-Divisional Police Officer, Sadar Patna
17. Thana Adhyaksh, Parsa Bazar Police Station, District-Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar

For the State : AC to SC-3

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 10-09-2015

Heard the counsel for the petitioner and AC to SC-3
for the State.

In substance, the grievance raised through this
application is that the land of canal (Nahar) which is being used for
the purpose of irrigation and also for storage of water for the

irrigation purposes by the people at large is being unauthorizedly occupied and used by the private respondents which has blocked the ingress and outgress of the petitioner as well as other villagers. Representations were filed before the District administration including the District Magistrate and the Sub Divisional Officer for removal of the encroachment but no action has been taken.

Having regard to the fact that the petitioner has already approached the authorities raising the aforesaid grievance, the writ application is disposed of by directing the Sub Divisional Officer or any other authority where the representations is filed to take notice of the said grievance /application and take appropriate decision/action as required in law. It has been pointed by the petitioner that a proceeding has already been initiated vide case no. 1494 of 2013. If that be so, then the concerned authority shall dispose of the said proceeding in accordance with law as quickly as possible preferably within 06 months from the date of receipt/production of a copy of this order. It will, however, also be open to the petitioner to seek the remedy in the Civil Court.

(Kishore Kumar Mandal, J)

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