

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15756 of 2014

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Sharawan Kumar @ Shrawan Kumar Son of Sri Ram Sharan Singh
resident of Village - Pararia, P.O. + P.S. - Nardiganj, District - Nawada.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Divisional Commissioner, Magadh Divisional, Gaya.
3. The Collector-cum-District Magistrate, Nawada.
4. The Superintendent of Police, Nawada.
5. The Sub-Divisional Officer, Sadar, Nawada.
6. The Anchal Adhik Nardiganj, P.S. - Nardiganj, District - Nawada.
7. The Station House Officer, Nardiganj Police Station, District - Nawada.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sidhendra Narain Singh
Mr. Rama Kant Singh
For the Respondent/s : Mr. J.P.Karn, AAG 7

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CORAM: HONOUABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 28-07-2015

The petitioner filed this writ petition by way of Public Interest Litigation complaining that a large number of encroachments have taken place over an irrigation canal. Inspite of several representations, the respondents did not take any steps.

We issued notice to the respondents and also directed them to remove the encroachments within a specified period.

Today, the District Magistrate, Nawada, and other officers appear and counter affidavit is filed.

The District Magistrate, Nawada, has stated that the complaint is not correct as it is not an irrigation canal at all, and

except during the rainy season, water does not flow through the structure. It is further stated that quite a large number of houses which were in the bank of canal-like structure have been removed and some pucca houses, which are said to be on the bank, would be removed within a period of 15 days.

By taking that undertaking on record, we close the writ petition.

(L. Narasimha Reddy,CJ)

(Anjana Mishra, J)

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