

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2543 of 2017

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Nawal Kishore Singh, son of Late Chandeshwar Singh, R/o Chandmari road, Gali No. 07, Kankarbagh, District Patna.

.... Petitioner

Versus

1. The State of Bihar through the Collector, Patna,
2. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna,
3. The Chief Engineer, Irrigation Department, Anisabad, Govt. of Bihar, Patna,
4. The Superintending Engineer, Irrigation Department, Irrigation Circle, Govt. of Bihar, Karbigahia, Patna,
5. The Executive Engineer, Punpun Flood Protection Division, Irrigation Department, Govt. of Bihar, Patna,
6. The Collector, Patna.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate.

For the Respondent/s : Mr. AJAY, GA 5 and
Mr. Pratik Kumar Sinha, AC to GA 5.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 11-05-2017

In this Public Interest Litigation filed, grievance of the petitioner is that there are encroachments over Punpun Dam from Chain No. 400 to 614 in village Punpun to Gaurichak in the district of Patna. *Inter alia* contending that under the Right to Information Act (vide Annexure P1), the Information Officer has given particulars of encroachments and in spite of several representations submitted, the encroachments have not been removed. Consequent thereof, on both sides of the road encroachments are there resulting into the road being



reduced in its width and causing inconvenience to the public.

Keeping in view the aforesaid grievance of the petitioner, it is directed that on the petitioner's filing a certified copy of this order along with a detailed representation and claim before the respondent no. 6, the respondent no. 6 shall look into the matter, take steps as are permissible under law for removal of encroachments, and if required, refer the matter to the Circle Officer concerned to register a case for encroachment under the Bihar Land Encroachment Act and ensure that proceedings for encroachments should be concluded within a period of six months from the date of receipt of this order.

It is clarified that the removal of encroachments shall be undertaken after following due process of law and hearing all concerned.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	17.05.2017
Transmission Date	N/A

