

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7224 of 2017

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Hasina Devi Wife of Raghunath Mandal, Resident of Village- Bel, Ward No.- 05- Bairgania, Post- Bel, Police Station- Bairgania, District- Sitamarhi, Presently Elected Mukhia of Belganj Panchayat, Police Station- Bairgania, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Rehabilitation Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Irrigation Department, Bihar, Patna.
4. The Commissioner, Tirhut Division, Muzaffarpur.
5. The District Magistrate, Sitamarhi.
6. The Superintending Engineer, Irrigation Department, District- Sitamarhi.
7. The Additional Sub- Divisional Officer-cum- Executive Engineer, Bagmati Division-4, Sitamarhi.
8. The Rehabilitation Officer, Sitamarhi Bagmati Project, Sitamarhi.
9. The Circle Officer, Circle Office, Bairgania.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
For the Respondent/s	:	Mr. ANJANI KUMAR-AAG4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 29-01-2018

Inter alia contending that in the area in question due to construction of Bagmati Embankment, various houses and establishments of the villagers in two Panchayats namely Belganj and Parsauni have been removed, they have been displaced, but rehabilitation and Parchas have not been granted to them and contending that in case of more than 98% families Parchas have not been granted, this Public Interest Litigation has been filed.



We find that except for making such statement, details and particulars of the families or persons who have been displaced and their right to receive Parchas have not been granted have not been furnished.

That being so, we are not inclined to go into the matter in a Public Interest Litigation based on vague and unspecified averments made. On the contrary, we grant liberty to the aggrieved person/s who want to seek rehabilitation to file a certified copy of this order along with detailed claim before the District Magistrate and the District Magistrate, after examining the same, shall decide the question in accordance with law. It is made clear that the above liberty would be only for the aggrieved person to personally make a claim before the District Magistrate.

With the aforesaid, this application in the form of Public Interest Litigation is disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	30.01.2018
Transmission Date	

