

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17643 of 2015

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1. Mohan Paswan Son of Sri Paswan resident of village - Jurahi, P.S. Risiap, District - Aurangabad
 2. Rajeshwar Prajapati @ Rajesh Prajapati Son of Sri Suryadeo Prajapati resident of village Balia Tola Narayanpur, P.S. Amba, District - Aurangabad
 3. Ram Prasad Ram Son of Late Dwarika Ram resident of village Haria Jharaha, P.S. Amba, District - Aurangabad
 4. Parmeshwar Yadav Son of Late Fakira Yadav Resident of Village - Narayan Khap, P.S. Aurangabad, District - Aurangabad
 5. Satyendra Ram Son of Chhatan Ram resident of village Mirzapur, P.S. Risiap, District - Aurangabad
 6. Jamuna Paswan Son of Late Ramrekha Paswan resident of village Jurahi, P.S. Risiap, District - Aurangabad
 7. Prasid Yadav Son of Karmdeo Yadav resident of village Chandali, P.S. Aurangabad, District - Aurangabad
 8. Jagdish Singh Son of Late Balkishun Singh resident of village - Erka, P.S. Amba, District - Aurangabad
 9. Md. Firoz Ansari @ Bakht Son of Abdul Razzak resident of village - Bajrahi, P.S. Amba, District - Aurangabad
 10. Bishunpat Paswan Son of Late Raksheya Paswan resident of village Deshpur Bigha, P.S. Amba, District - Aurangabad
 11. Suneshwar Bhuiyan Son of Ramdeo Bhuiyan resident of village Baliyan Tola Narayanpur, P.S. Amba, District - Aurangabad
 12. Hiralal Raman Son of Maheshwar Ram resident of village Chaukri, P.S. Haider Nagar, District - Aurangabad
 13. Pramod Yadav Son of Parmeshwar Yadav resident of village Narayan Khap, P.S. Aurangabad, District - Aurangabad
 14. Alakhdeo Bhuiyan Son of Late Wakil Bhuiyan resident of village Parta, P.S. Amba, District - Aurangabad
 15. Ramji Bhuiyan Son of Dashrath Bhuiyan resident of village Belai, P.S. Amba, District - Aurangabad
 16. Jai Ram Paswan Son of Ram Swaroop Paswan resident of village Parsawan, P.S. Simra, District - Aurangabad
 17. Binod Ram @ Binod Kumar Bharati Son of Yogendra Ram resident of village Hariya Jharaha, P.S. Amba, District - Aurangabad
 18. Ganauri Bhuiyan Son of Late Jaipal Bhuiyan resident of village Belai, P.S. Amba, District - Aurangabad
 19. Satyender Ram Son of Late Krit Ram resident of village Erka, P.S. Amba, District - Aurangabad
 20. Satrudhan Ram Son of Ramdeo Ram resident of village Erka, P.S. Amba, District - Aurangabad
 21. Ram Deyal Mehta Son of Mahavir Mehta resident of village Jharaha, P.S. Amba, District - Aurangabad
 22. Raghupat Paswan Son of Kuldeep Paswan resident of village Matesenpur, P.S. Amba, District - Aurangabad
 23. Mukesh Paswan Son of Mohan Paswan resident of village Jurahi, P.S. Risiup, District - Aurangabad
 24. Ram Kumar Ram Son of Ram Prasad Ram resident of village Hariya Jharaha, P.S. Amba, District - Aurangabad
 25. Nagendra Yadav Son of Sri Shiv Yadav resident of village Loharchak, P.S. Kutumba, District - Aurangabad



26. Shiv Yadav Son of Late Mangar Yadav resident of village Loharchak, P.S. Kutumba, District - Aurangabad
27. Jitendra Paswan Son of Bali Paswan resident of village Amba Bishunpur, P.S. Kutumba, District - Aurangabad
28. Rajaram Paswan Son of Late Kesi Paswan resident of village Amba Bishunpur, P.S. Kutumba, District - Aurangabad
29. Shravan Kumar Paswan Son of Jitendra Paswan resident of village Amba Bishunpur, P.S. Kutumba, District - Aurangabad
30. Vikas Paswan Son of Rajaram Paswan resident of village Amba Bishunpur, P.S. Kutumba, District - Aurangabad
31. Satyendra Ram @ Satyendra Paswan Son of Bali Paswan resident of village Amba Bishunpur, P.S. Kutumba, District - Aurangabad
32. Mukesh Paswan Son of Stayendra Paswan resident of village Amba Bishunpur, P.S. Kutumba, District - Aurangabad
33. Kameshwar Yadav Son of Saufi Yadav resident of village - Basaura, P.S. Mali, District - Aurangabad
34. Anil Kumar Rajak Son of Late Jugal Rajak resident of village - Khetpura, P.S. Risiap, District - Aurangabad
35. Shiv Narayan Ram Son of Late Dwarika Ram resident of village - Matihani, P.S. Risiap, District - Aurangabad
36. Alendra Singh Son of Late Bindeshwar Singh resident of village - Jaipur, P.S. Mali, District - Aurangabad
37. Ramraj Yadav Son of Sri Ram Rakshya Yadav resident of village - Kanchanpur Tarauna, P.S. Kalakhurd Radari, District - Aurangabad
38. Rajendra Ram Son of Dharachu Ram resident of village - Mahuari, P.S. Kalakhurd Radari, District - Aurangabad
39. Nageshwar Yadav Son of Late Indradeo Yadav resident of village - Renganiya Manjhauli, P.S. Mali, District - Aurangabad
40. Munni Paswan Son of Late Saudagar Paswan resident of village - Kusahan, P.S. Deo, District - Aurangabad
41. Mukesh Paswan Son of Munni Paswan resident of village - Kusahan, P.S. Deo, District - Aurangabad
42. Ashok Kumar Yadav Son of Kamta Yadav resident of village - Kusahan, P.S. Deo, District - Aurangabad
43. Shyamata Yadav Son of Late Sita Yadav resident of village - Kusahan, P.S. Deo, District - Aurangabad
44. Ram Swaroop Yadav Son of Late Ratan Yadav resident of village - Laxmi Bigha, P.S. Deo, District - Aurangabad
45. Ram Narayan Yadav Son of Ram Swaroop Yadav resident of village - Laxmi Bigha, P.S. Deo, District - Aurangabad
46. Juglesh Yadav Son of Ram Bilas Yadav resident of village - Kusa, P.S. Madanpur, District - Aurangabad
47. Baban Bhuiyan Son of Umesh Bhuiyan resident of village - Belsara, P.S. Deo, District - Aurangabad
48. Kamta Yadav Son of Late Sita Yadav resident of village - Kusha, P.S. Deo, District - Aurangabad
49. Sanjay Mauwar Son of Yadubansh Mauwar resident of village - Jhiktiya, P.S. Kutumba, District - Aurangabad
50. Ajay Mauwar Son of Yadubansh Mauwar resident of village - Jhiktiya, P.S. Kutumba, District - Aurangabad
51. Binod Singh Son of Ram Pravesh Singh resident of village - Dhibar, P.S. Kutumba, District - Aurangabad
52. Suryapat Yadav Son of Dhanesh Yadav resident of village - Parshan Bigha, P.S. Deo, District - Aurangabad
53. Mahendra Yadav Son of Dhanesh Yadav resident of village - Parshan



Bigha, P.S. Deo, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Water Resources Department, Government of Bihar, Old Secretariat, Patna
3. The District Magistrate, Aurangabad
4. The Chief Engineer, Water Resources Department, Aurangabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate

For the Respondent/s : Mr. Jitendra Kumar, AC to AAG-14

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 13-09-2018 Heard learned counsel for the petitioners and learned counsel for the State.

Learned counsel for the petitioners is permitted to make necessary corrections in the cause title with respect to petitioner no.23 during course of the day.

Learned counsel for the petitioners seeks permission to withdraw this writ petition against petitioner nos.12, 39, 40, 41, 42, 44, 45 and 46, namely, Hiralal Raman, Nageshwar Yadav, Munni Paswan, Mukesh Paswan, Ashok Kumar Yadav, Ram Swaroop Yadav, Ram Narayan Yadav and Juglesh Yadav.

Permission is accorded.

Accordingly, this writ petition is dismissed as withdrawn against petitioner nos.12, 39, 40, 41, 42, 44, 45 and 46.

I.A. No. 3697 of 2016 has been filed for further addition/modification in the prayer portion.



In the facts and circumstances of the case, the prayer is allowed and IA. No. 3697 of 2016 is allowed.

Learned counsel for the petitioners submits that the facts of the present case are identical to the case of C.W.J.C. No. 18376 of 2015 (Ghura Paswan & Ors. Vs. The State of Bihar & Ors.) and C.W.J.C. No. 19348 of 2015 (Purshotam Dwivedi Vs. The State of Bihar & Ors.), the aforesaid orders squarely cover the issue involved in the present case.

In such view of the matter, the concerned authority is directed to examine the facts, law and prayer of the case of petitioners and if it is found that present case is squarely covered by the aforesaid case, the same benefit should also be extended to the petitioners and authority will take a final decision within a period of three months from the date of receipt/production of a copy of this order.

With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

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