

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15582 of 2018

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Baidhnath Kumar Pandey, Son of Late Sarwati Kumar Pandey, Resident of Village-Chiutaha, Police Station-Mainatarn, District-West Champaran (Bettiah). At Present Village Pandey Debaria, Police Station-Padrauna, District-Kushinagar (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Home Affairs Bihar, Patna.
2. The D.G. Police Bihar Patna.
3. The D.I.G. Tirhut Division, Muzaffarpur.
4. The District Magistrate, West Champaran, Bettiah.
5. The Superintendent of Police, West Champaran, Bettiah.
6. The Additional Collector (Ceiling) Bettiah, West Champaran.
7. The S.D.O., Narkatiaganj, West Champaran, Bettiah.
8. The S.H.O. Mainatarn Police Station, District-West Champaran, Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Sharma
		Mr. Md. Najmul Hoda
For the Respondent/s	:	Mr. Ravi Verma, AC to GP 4

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2018 Heard learned counsels for the parties.

The present writ application has been filed for a direction to the Respondent authorities, particularly, Respondent No. 4, the District Magistrate, West Champaran and Respondent No. 5, the Superintendent of Police, West Champaran to provide security by deployment of force in order to allow the petitioner to cultivate his land.

It is submitted by learned counsel for the petitioner that the petitioner is a resident of Village- Chiutaha, P.S. - Mainatand, District – West Champaran. The petitioner has a



large agricultural land, but he is unable to carry on agricultural work due to obstructions by some anti-social activists. In this regard, the petitioner submitted a representation before the Respondent No. 5, the Superintendent of Police, West Champaran, as contained in Annexure 2 for providing him security, but no action has been taken. It is further submitted that the petitioner is ready to make payment of cost for providing security. The brother of the petitioner had earlier filed writ application being CWJC No. 12476 of 2003 before this Court with a prayer of providing him security wherein the District Magistrate was directed to pass appropriate order in accordance with law for deployment of force facilitating the brother of the petitioner to conduct cultivation and harvesting.

But till date no action having been taken on the application of the petitioner which has necessitated the filing of the present writ application.

Mr. Ravi Verma, AC to GP 4 submits that at present he is not having any instruction whether any action on the application of the petitioner has been taken or not but if an appropriate application is submitted by the petitioner before the Respondent No. 4, the District Magistrate, West Champaran, needful action will be taken in accordance with law within a



reasonable time frame.

In the circumstances, the petitioner is permitted to submit a representation before the Respondent No. 4, the District Magistrate, West Champaran and Respondent No. 5, the Superintendent of Police, West Champaran within a period of three weeks from the date of receipt/production of a copy of this order, whereupon, it is expected from the Respondent No. 4, the District Magistrate, West Champaran and Respondent No. 5, the Superintendent of Police, West Champaran to take appropriate decision on the application of the petitioner, particularly, in view of the fact that he is ready to make payment of cost for providing security by the State, within a period of eight weeks.

With the aforesaid observation/direction, this writ application is disposed of.

(Dinesh Kumar Singh, J)

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