

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1142 of 2019

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Jitendra Kumar Yadav son of Paras Nath Yadav Resident of Village- Kheman Tola, P.S.- Peoli, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Rural Works, Government of Bihar, Patna.
2. District Magistrate cum Collector, Gopalganj. Bihar.
3. The Sub-divisional Magistrate, Hathua, Gopalganj. Bihar.
4. The Executive Engineer, Rural Works Department, Gopalganj. Bihar
5. The Circle Officer, Hathua, Gopalganj. Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Devanand Tiwari
For the State	:	Mr.Archana Meenakshee,(GP-6 Mr. Prabhat Ranjan, AC to GP 6

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 19-02-2019 Counter affidavits have been filed on behalf of respondent no.4, and the Commissioner, Saran at Chapra.

It has been stated in the counter affidavit filed on behalf of respondent no.4 that the order dated 01.09.2018, issued by the Commissioner-cum-first appellate authority, Saran Division, Saran at Chapra, passed in Appeal Case No. 415110121121700706/1A has been fully implemented and the encroachments have been removed. On the point of non-implementation of the said order so far, it has been stated that the concerned Executive Engineer, Rural Works Division, Hathua, has been asked to explain and he has submitted his explanation. In support of the fact that encroachments have been removed, Annexure-H to the counter affidavit filed on behalf of the Sub Divisional Officer has been brought on record from which, it appears that the Circle Officer, Hathua, Block



Development Officer, Hathua, Assistant Engineer, RWD, Hathua, the Officer-in-charge, Mirganj Police Station, the Circle Inspector, Hathua, the Anchal Amin, Hathua, the Revenue Karamchari and the Contractor were present at the time of removal of encroachments. There are names of the villagers also mentioned with their signatures in the said Annexure, as the witnesses to the removal of encroachments.

Learned counsel for the petitioner has raised a grievance that the order has not been fully implemented.

This Court cannot go into this aspect of the matter anymore, since the matter relates to execution of an order passed by the Commissioner under the Bihar Right to Public Grievance Redressal Act, 2015. When the officer, who passed the order is himself satisfied about the execution of the order, the Court cannot go into the grievance of the petitioner any further.

The application stands disposed of as having become infructuous.

(Chakradhari Sharan Singh, J)

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