

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2934 of 2018

Lalit Mishra, son of Ramayan Mishra, resident of Village- Janipur, P.S.-
Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Land Reforms and Revenue Department,
Government of Bihar, Patna.
3. The District Magistrate-Cum- Collector, Sitamarhi, District- Sitamarhi.
4. The Sub- Divisional Officer, Pupri, District- Sitamarhi.
5. The Circle Officer, Nanpur, District- Sitamarhi.
6. Sri Akhilesh Kumar, The Mukhiya, Gram Panchayat Raj, Janipur, Block-
Nanpur, District- Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Pushpendra Kumar Singh, Advocate Mr.Arun Kumar, Advocate Smt. Divya Bharti, Advocate
For the Respondent/s	:	Mr.Ajay- GA5

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 21-06-2019

Heard the parties.

Prima facie, the recommendation of the Circle Officer to the Sub Divisional Officer, Pupri in the district of Sitamarhi depicts that the Mukhiya of the Gram Panchayat has duly committed default in filling up of the Paine/Ponds situated at Plot No. 3447 of Khata No. 1912 and Plot No. 2772 of Khata No. 1913 in village Janipur in the district of Sitamarhi. The



Circle Officer has opined that the filling up of the Pond is not correct. This writ petition was filed making complaint regarding laid back attitude of the respondents in not acting on the recommendation. Apart from the fact that the Division Bench of this Court vide judgment reported in 2013(3) BLJ 208 (Abdul Salam vs. State of Bihar and others) taking note of a judgment passed by the Gujarat High Court on a similar matter, has issued directions which are binding on the State, it is the obligation of the State in its concerned department to ensure that the nature and character of the water bodies are maintained and are not interfered with. For the present, we would direct the District Magistrate, Sitamarhi to consider the grievance raised by the petitioner as noted above and take it to its logical conclusion within a period of three months from the date of receipt/production of a copy of this order bearing note of the observations made above.

The writ petition is disposed of.

(Jyoti Saran, J)

(Anjani Kumar Sharan, J)

Nasimul/Amit

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	27-06-2019
Transmission Date	N/A

