

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16828 of 2019

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Vashir Ahamad @ Vashir, Son of Sahadat Hasan, resident of Village Parari,
P.O.- Jaideopatti and P.S.- Ghanshyampur, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. Principal Secretary, Welfare Department, Govt. of Bihar, Patna.
3. Home Secretary, Govt. of Bihar, Patna.
4. The District Magistrate, Darbhanga.
5. Executive Engineer, Local Engineering Organization, Work Commissioner-02, Benipur, Planning and Development Department, Darbhanga.
6. Sub Divisional Officer, Biraul, Darbhanga.
7. Circle officer, Ghanshyampur, Darbhanga.
8. Senior Superintendant of Police, Darbhanga.
9. Sub-Divisional Police Officer, Biraul, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sarva Deo Singh, Adv.
For the Respondent/s	:	Mr.Gyan Prakash Ojha (GA7)
		Mr. Ajit Kumar, AC to GA7

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

Date : 26-08-2019

Heard learned counsel for the petitioner and counsel for the State.

In this case, the petitioner is seeking relief that the boundary wall should be constructed over the Kabristan having its Khata No. 1895, Khesara No. 5842 and Area 1.28 Decimal of Village Jaideopatti under the Gram Panchayat Jagdeopatti.

It has been submitted that for construction of boundary wall surrounding Kabristan, a fund of Rs. 22,66,500/- was allotted



on 1.2.2018 during the financial year 2017-18, the authorities went there for construction of the boundary wall but, the objection was raised by some unruly elements, construction work has been stopped and the money is lying idle without its proper utilization and certain persons have also encroached upon the Kabristan land.

In view of the above, this Court directs the District Magistrate, Darbhanga to ensure construction of the boundary wall over the Kabristan land and, if any person has encroached upon the land of the Kabristan, after giving him proper hearing, will clear the land from encroachment and facilitate the construction of boundary wall. The construction of boundary wall must be completed within a period of nine months from the date of receipt/production of a copy of this order.

With the aforementioned observation and direction, this writ application is disposed of.

(Shivaji Pandey, J)

(Partha Sarthy, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.08.2019
Transmission Date	

