

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9881 of 2012

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Sanyukta Devi, Wife of Shri Prasadi Mandal, Resident of Village- Kanjhia,
Police Station- Nathnagar, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Agriculture, Government of Bihar,
Patna
3. The District Magistrate-Cum-Chairman, District Horticulture Committee,
Bhagalpur
4. The District Horticulture Officer, Bhagalpur
5. The District Agriculture Officer, Bhagalpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf
For the Respondent/s : Mr. Rajesh Kumar Gp8

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 26-04-2019 Heard learned counsel for the petitioner and the State.

2. The grievance of the petitioner in the instant writ application is that the respondents have agreed to pay Rs. 10,00,000/- (Ten lacs) for converting into the land of the petitioner of community pond for the purpose of irrigation of the agriculturist, but after paying Rs.4,00,000/- (Four lacs) further installment was not released by the respondents, as a result thereof, the land of the petitioner is of no use either for the petitioner or for the public.

3. He submits that the respondent authorities are not allowing the land of the petitioner to restore its original position and utilize the same and as a result of inaction on the part of the



respondents the petitioner is suffering immensely.

4. Considering the aforesaid, the writ application is disposed of with liberty to the petitioner to approach respondent no.4, the District Horticulture Officer, Bhagalpur, who shall examine the claim of the petitioner and if respondent no.4 comes to a conclusion for construction of community pond, further amount is not released, he shall take step for releasing the fund and in the event the respondent is not willing to invest further amount for construction of the community pond he shall take step for release of the land of the petitioner so that he may use his land in the manner he wishes.

5. Necessary decision either to release further amount for completion of community pond or to release the land of the petitioner in his favour must be taken by respondent no.4 within a maximum period of four months from the date of receipt/production of a copy of this order.

6. With the aforesaid, this application stands disposed of.

(Anil Kumar Upadhyay, J)

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