

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5891 of 2020

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Kartikesh Jha S/o Late Lambodar Jha Hardiya, Ward No.2, P.S.- Hardiya,
Hardiya, Pupri, Sitamarhi, Bihar- 843320.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner cum Secretary, Urban Development Department, Government of Bihar, New Secretariat, Bailey Road, Patna.
2. The District Magistrate, Sitamarhi.
3. The Sub-Divisional Officer, Sitamarhi.
4. The Circle Officer, Pupri Circle, Sitamarhi.
5. The Executive Officer, Nagar Parisad, Pupri, Dist- Sitamarhi.

... .. Respondent/s

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(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s	:	Mr.Ranjan Kumar Srivastava
For the Respondent/s	:	Mr.Subhash Prasad Singh (Ga3)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 22-12-2020

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

- "a. To construct the Sewer/Channel as per the map sanctioned by the Government i.e. 23 feet at the starting point and 135 feet at the end point which is near the bank of river.
- b. To initiate encroachment case against the persons who



illegally encroached the land of sewer/channel wherein they have constructed shops and house."

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation which the petitioner shall be filing for redressal of the grievance(s).

State has no objection to the same.

As such, petition is disposed of in the following terms:

The petitioner shall file a representation before the authority concerned within a period of eight weeks.

The concerned respondent is directed to consider and decide such representation expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

The proceedings, during the time of current Pandemic-Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes



recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing be afforded to the parties.

Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, also stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rrajiv-

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

