

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15835 of 2018

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Shree Krishna Tiwari @ Krishna Tiwari S/o Late Ramanandan Tiwari @ Late Ramanand Tiwari resident of Mohalla Girihinda, P.O., P.S., and District Sheikhpura.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The District Magistrate cum Collector Sheikhpura. null null
4. The Sub Divisional Officer Sheikhpura, District Sheikhpura. null null
5. The Circle Officer Sheikhpura, District Sheikhpura. null null
6. The Secretary Building Construction Department, Govt. of Bihar, Patna.
7. The Executive Engineer, Building Construction Department, Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar
For the Respondent/s : Mr.Ajay -Ga5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 08.08.2018 is listed for hearing
for the first time today before the Court.

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

Petitioner has prayed for the following relief:

“(i) For issuance of an appropriate writ in
the nature of mandamus commanding and
directing the respondent authorities to
stop the work of construction of building
which is being constructed on Khata No.



109 Khesra No. 835 area 1 acre 31 decimal nature of land is Gairmazarua Aam which is in the nature of Murd Ghatti situated in Mauza Girihinda. And the building is being constructed without making any alternative arrangement/settlement of Murd Ghati (Asmason Ghat) adjacent or nearby to that place.

(ii) For issuance of any other writ/writs, order/orders, direction/directions for which the petitioner shall be found entitled under the facts and circumstance of the case for equitable justice.”

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 making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

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.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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