

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15581 of 2018

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Bishwnath Prasad Singh S/o Late Pashupati Nath Singh, Resident of Village-
More East P.S.-Mokama, Distt.-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar, Patna.
3. The Collector, Patna.
4. The Sub-Divisional Officer, Barh Patna.
5. The Deputy Collector, Land Reforms, Barh, Patna.
6. Circle Officer, Mokama, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Madan Prasad Singh No-2
For the Respondent/s : Mr.Md. Khurshid Alam- Aag12

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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 04.08.2018 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 writ of mandamus commanding
the respondents to remove encroachment from
pokhar in plot no. 2790 situated to the south of Mor
Railway Station and also to remove encroachment
from plot no. 2208, village road running from



N.H.-31 to Mor Railway Station and also going to the Mor Tal Area

(ii) For issuance of writ of mandamus commanding the respondents to excavate and bring the pokhar to its original position.

(iii) For issuance of direction to respondent nos. 2 and 3 to take appropriate action against respondent no.6 or the concerned authority, who being in collusion with encroachers did not take effective and expeditious step to remove encroachment from the pokhar land despite specific direction under letter no. 198 dt. 25.05.1990 and others of the Revenue and Land Reforms Department, Govt. of Bihar to maintain and protect the water bodies (pokhar etc.).

Or pass such other appropriate writ/writs, direction/directions or pass such other order or orders, which may be found just and proper.”

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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