

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23068 of 2018

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Sanat Kumar Mishra Son of Bal Gangadhar Mishra, Resident of Ward No. 3,
Koilar, Police Station- Koilar, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Principal Secretary, Department of Irrigational Flood Control Wing, Government of Bihar, Patna
3. The District Officer, Bhojpur, Ara.
4. The Circle Officer, Koilar, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Respondent/s : Mr. Anil Kr. Sinha- GA-1

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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 01.12.2018 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 commanding the respondent
authorities to remove the encroachment from chat
of the Buxar Koilar Ganga Embankment situated
over the Plot No. 280, Mauza Koilar, Thana No.
132, Khata No. 375, which is adjacent to the



aforesaid Embankment within the Block-Koilwar, District Bhojpur by instituting a proper encroachment case under provisions of Bihar Public Land Encroachment Act.

(ii) Also for any other appropriate reliefs to which the petitioner is found entitled either in the eye of law or in the fact and circumstances.”

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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