

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7722 of 2020

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1. Ram Nandan Sharma Son of Late Rajendra Sharma.
 2. Sunit Sharma Son of Late Ramdutt Sharma
 3. Surendra Sharma Son of Late Shivkesh Singh

All are Resident of Village- Nathupur, Police Station-Bihta, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Engineer-in-Chief Irrigation Creation Water Resources Department, Government of Bihar, Patna.
3. The Chief Engineer, Irrigation Creation Water Resources Department, Dehri, Rohtas
4. The Superintending Engineer, Irrigation Creation Water Resources Department, Circle Gaya.
5. The Execution Engineer, Sone Canal Division, Khagaul.
6. The Sub-Divisional Officer, Sub-Division Officer Danapur, District-Patna.
7. The Executive Engineer Patna Division, Sheikhpura, Patna.
8. Minor Irrigation Department, Bihar, Patna.
9. The Assistant Engineer, Sub-Divisional Office, Bihta, Minor Irrigation Department, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

**(The proceedings of the Court are being conducted through
Video Conferencing and the Advocates joined the proceedings**



through Video Conferencing from their residence.)

Date : 15-09-2020

Heard the parties.

Petitioners have prayed for following reliefs:-

- (i) For direction to the respondents concerned to renovate the branch canal situated in plot no.323, 519, 520 khata no.133 plot no.833, khata no.134 in village Nathpur , Police Station- Bihta District, Patna after measurement and removal of the encroachment by which the water will be passed clearly from the Canal. Now, the work of renovation is being made in a narrow place and so deep which is dangerous for the cattle and children for their life.
- (ii) Also for any other appropriate relief/reliefs to which the petitioners are found entitled either in eye of law or in the facts and circumstances of the case.”

After some argument, counsel for the petitioners is permitted to withdraw this writ petition with liberty to file a detailed representation before the SDM, Danapur, Patna (respondent no.6) with respect to issues raised in this writ petition and the SDM, Danapur, Patna shall consider the grievances as raised by petitioners and shall pass an appropriate order in accordance with law within 30 days from the date of filing of representation. It is made clear that this Court has not expressed any opinion with respect to merit of the case of the petitioners and same is to be considered and decided by SDM, Danapur, Patna in accordance with law.

However, if any grievance of the petitioners still survives, liberty reserve to them to take recourse to such remedies as are otherwise available in accordance with law.



Accordingly, this writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.09.2020
Transmission Date	NA

