

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9702 of 2020

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Sinod Pandey Son of Sri Krishnadev Pandey resident of village- Kadilur, P.O.
and Panchayat- Narayanpur, P.s.- Telhara, Block- Eakangarsarai, District-
Nalanda, Pin-801306

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Biharsharif, Nalanda
2. Pradhan Sachiv Rajaswa and Bhumi Sudhar Vibhag, Bihar Sarkar, Patna
3. Upper Samaharta (Lo. Shi. Ni.) Nalanda-sah-Pratham Appeliye Pradhikar,
Nalanda
4. Anumandiliye Lok Sikayat Niwaran Padadhikari Hilsa, Nalanda
5. Anchal Adhikari Eakangarsarai, Nalanda
6. Chandeshwar Paswan Son of Tunu Paswan resident of village- Kadilpur, P.O.
and Panchayat- Narayanpur, P.s.- Telhara, Block- Eakangarsarai, District-
Nalanda, Pin-801306
7. Ramanand Paswan Son of Tunu Paswan resident of village- Kadilpur, P.O.
and Panchayat- Narayanpur, P.s.- Telhara, Block- Eakangarsarai, District-
Nalanda, Pin-801306
8. Bangali Mistri Son of Late Parmeshwar Mistri resident of village- Kadilpur,
P.O. and Panchayat- Narayanpur, P.s.- Telhara, Block- Eakangarsarai,
District- Nalanda, Pin-801306
9. Ramishwar Mistri, Son of Late Parmeshwar Mistri resident of village-
Kadilpur, P.O. and Panchayat- Narayanpur, P.s.- Telhara, Block-
Eakangarsarai, District- Nalanda, Pin-801306

... .. 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.Indradeo Prasad
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)**

Date : 23-12-2020

Heard learned counsel for the parties.

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

"अतिक्रमण वाद संख्या . 13/2019-20 का विधिवत निष्पादन अविलम्ब करने का आदेश सम्बन्धित उत्तरवादियों को दिया जाए जो कादिलपुर ब्रम्हस्थान जलाशय पर से अतिक्रमण हटाने हेतु अंचल अधिकारी एकंगरसराय के न्यायालय में दर्ज है."

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

