

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24178 of 2018

=====

Ramavriksha Prasad Son of Late Ruplal Mahto Resident of Village
BostiBigha, Boro P.S.- Hisua, Dist. Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Land reform and Revenue Department, Bihar, Patna.
2. The Collector Nawada.
3. The Addl. Collector Collector.
4. The Deputy Collector Land Reform Nawada.
5. The Circle Officer Nardiganj, Nawada.
6. Sailendra Yadav Son of Sito Yadav Resident of Village BastiBigha Boro, P.S.- Hisua, District- Nawada.
7. Gorelal Yadav Son of Kapil Yadav Resident of Village BastiBigha Boro, P.S.- Hisua, District- Nawada.
8. Dinesh Yadav Son of Prasadi Yadav Resident of Village BastiBigha Boro, P.S.- Hisua, District- Nawada.
9. Bipin Yadav Son of Late Mosafir Yadav Resident of Village BastiBigha Boro, P.S.- Hisua, District- Nawada.
10. Jagdeo Yadav Son of Sahdeo Yadav Resident of Village BastiBigha Boro, P.S.- Hisua, District- Nawada.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma
For the Respondent/s : Mr.Md. Khurshid Alam

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 07-01-2020 The petition filed on 13.12.2018 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/s:



“That by this Public Interest Litigation application petitioner seeks indulgence of this Hon’ble Court for issuance of writ in nature of Mandamus and directing and commanding the respondent authorities to remove the encroachment from Canal/Pain appertaining Khata no. 717 plot no. 5318 which was not dig out the Canal/Pain since long time. Whereby an and where under interruption water from main canal resultantly the irrigation of agriculture field have not just and proper some private respondents who have been encroached it by way of establishing lord Shivling and also people at large at Tadapar Basti Bighas tola have also encroached. So irrigation was not happened. The public at large had faced great troubles and anytime public at large causes apprehension amongst them.”

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)

K.C.Jha/-

U			
---	--	--	--

