

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19664 of 2019

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Saroj Kumar, Son of Premchand Prasad, Resident of Village-Pachhatti, P.S.
Bodhgaya, District Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Urban Development and Housing Department of Government of Bihar, Patna.
2. Managing Director Bihar Raj Pul Nirman Nigam, Patna
3. District Magistrate, Gaya.
4. Circle Officer, Bodhgaya,
5. Executive Officer, Nagar Panchayat, Bodhgaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Respondent/s : Mr.Kinkar Kumar (SC-9)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

8 28-02-2020 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following reliefs:-

“(A) For giving a direction not to make encroachment of the Amwa Pain by making construction of R.C.C. Road over the same situated in Bodhgaya over Khata No. 1034, Plot No. 3100 within district Gaya, which is only source of irrigation of about 10 villages in Bodhgaya Block.

(B) For grant of stay of the further construction over Amwa Pain till disposal of the writ petition before this Court.”



The interim order dated 25th of September, 2019, passed in the instant case, is clarified to the extent that it would be open for the respondent authorities to carry out the work for construction of the road in question as also development activities, ensuring that the irrigation facilities to the farmers of the adjoining areas are not obstructed or affected in any manner.

In view of the above, considering the nature of the prayer made by the petitioner, we dispose of the present petition.

(Sanjay Karol, CJ)

(Anjana Mishra, J)

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