

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10662 of 2020

Narendra Kumar Vidyarthi Son of Late Deoki Nandan Prasad Resident of Village- Lodipur, P.O.- Khaddi Lodipur, P.S.- Telhara, District- Nalanda. At present Mohalla- Subhash Nagar, Lane (Gali) No.-2, Khemni Chak, P.S.- Ram Krishna Nagar, District- Patna. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. Principal Secretary, Revenue Department, Govt. of Bihar, Patna.
3. Principal Secretary, Rural Development Department, Govt. of Bihar, Patna.
4. Principal Secretary, Water Resources (Irrigation) Department, Govt. of Bihar, Patna.
5. District Magistrate, Nalanda at Bihar Sharif.
6. Additional Collector, Nalanda at Bihar Sharif.
7. Sub-Divisional Officer, Hilsa, Nalanda.
8. Circle Officer, Ekangar Sarai Block, District- Nalanda.
9. Block Development Officer, Ekangar Sarai Block, District- Nalanda.
10. Superintendent of Police, Nalanda at Bihar Sharif.
11. Station House Officer, Telhara Police Station, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar, Advocate
For the Respondent/s : Mr. Raj Kishore Roy, G.P. 18

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 21-06-2021

Heard the parties.

Petitioner has prayed for following relief(s):-

“1. That this writ application is being filed for issue of a direction/order commanding the respondents to remove the illegal and unauthorized occupation and possession of the unscrupulous elements from Khata No. 85, Plot No. 354, Area 4.54 Acre



(Dagar), Plot No. 215, Area 5 Decimal (Dev Asthal) Plot No. 216, Area 2 Decimal (Panchayat Bhawan), Plot No. 155, Area 1.12 Acre (Aam Rasta) Plot No. 242, Area 26 Decimal (Panchayat Bhawan), Plot No. 155, Area 1.12 Acre (Aam Rasta), Plot No. 242, Area 26 Decimal (Dhanhar), Plot No. 211, Area 47 Decimal (School), Plot No. 93, Area 1.65 Acre (Pyne), Plot No. 200, Area 25 Decimal (Alang), Plot No. 349, Area 30 Decimal (Muradghatti), Plot No. 86, Area 15 Decimal (Gaddha), Plot No. 87, Area 15 Decimal (Gaddha), Plot No. 426, Area 3.05 Acre (Charagah), Plot No. 486, Area 15 Decimal (Shiv Asthan) situated in Village- Lodipur, Thana No. 99, Police Station- Telhara, Anchal- Ekangar Sarai, Sub-division- Hilsa, District Nalanda within a time frame fixed by this Hon'ble Court and the respondents be further directed not to allow recurrence of such illegal possession and by an ad-interim order the illegal possession be removed during the pendency of this writ application and may grant such other relief or relief's as may be deemed fit and proper."

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).



Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) 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;

(f) Liberty reserved to the petitioner to approach the Court, if the need so rises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits.
All issues are left open;

(h) 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;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

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

