

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4550 of 2022

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Md Isa Son of Late Abdul Ajij, resident of Village - Bela Situhar, ward no. 01,
P.S. - Supaul, District - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Dept.
Govt. of Bihar, Patna.
2. The Chief Engineer, Flood Control and Water Release, Water Resources
Department, Birpur, Supaul.
3. The District Magistrate, Supaul.
4. The Circle Officer, Supaul.
5. The Rehabilitation Officer, Supaul.
6. Md. Mustafa Son of Md. Mokim, resident of Village - Chakdumariya
Punarwas, P.S. - Supaul, District - Supaul.
7. Md. Rahamtullah, son of Md. Mustafa, resident of Village - Chakdumariya
Punarwas, P.S. - Supaul, District - Supaul.
8. Md. Washi, son of Md. Mahiuddin, resident of Village - Chakdumariya
Punarwas, P.S. - Supaul, District - Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kuldeep Kumar, Advocate
For the Respondent/s : Mr.Harish Kumar (GP 8)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-11-2022 The present petition has been filed seeking the
following reliefs :-

*“(i) For issuance of a direction, order or writ
including writ in the nature of Mandamus,
directing the respondent authorities especially
the rehabilitation officer, Kosi project Supaul
and Circle Officer, Supaul to remove the
encroachment from the encroached site, issued
vide memo no. 1243 dated 24.07.2015 of the
Director, Land Acquisition & Rehabilitation,*



Water Resources Department, Government of Bihar; Patna, whereunder the director of the said department has directed the Rehabilitation Officer, Koshi Project, Supaul to remove the encroachment by instituting an encroachment case under the Bihar Public Land Encroachment Act for emancipating the encroached land of the rehabilitation department.

(ii) For issuance of an appropriate writ/ writs, direction/ directions under the Circle Officer, Supaul to initiate proceeding by instituting an encroachment case against the private respondents (respondents no. 6 to 8) in pursuance of the letter no. 855 dated 17.11.2016 issued by the rehabilitation officer, Koshi Project, Supaul.

(iii) For issuance of a direction/ directions, order/ orders or writ/ writs including writ in the nature of mandamus commanding the concerned respondent authorities under the rehabilitation department specially the respondent nos. 4 & 5 to provide the petitioner with the layout allotted in the name of his father under the rehabilitation scheme and settle him there without further delay by taking effective steps against the unauthorized occupants.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Supaul for redressal of his aforesaid grievances. Liberty so sought, is granted.



It is needless to state that in case, the petitioner approaches the Circle Officer, Supaul by filing appropriate petition under the provisions of the Bihar Public Land Encroachment Act, 1956, within a period of four weeks from today, the same shall be considered, in accordance with law and after hearing the affected parties, appropriate orders shall be passed thereon, forthwith.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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