

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12341 of 2021

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Asheshar Shukla, S/o Parasnath Shukla, Resident of Village-Gausia, P.S.-
Manjha, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Water Resource Department, Bihar, Patna.
2. The Principal Secretary, Water Resource Department, Govt. of Bihar, Patna.
3. The Additional Secretary, Water Resource Department, Govt. of Bihar, Patna.
4. The Engineer-in-Chief, Flood Control and Drainage, Water Resource Department, Govt. of Bihar, Patna.
5. The Chief Engineer, Flood Control and Drainage, Gopalganj.
6. The Superintending Engineer, Flood Control and Drainage, Gopalganj.
7. The Executive Engineer, Flood Controls Division, Gopalganj.
8. The District Magistrate, Gopalganj.
9. The Circle Officer, Manjha, Gopalganj.
10. The Station Head Officer, Manjhagarh, Police Station, Gopalganj.
11. Dulabh Choudhary, S/o Late Vishwanath Choudhary, Resident of Village-Gausia, P.S.-Manjha, District-Gopalganj.
12. Vinod Choudhary, S/o Late Sukhdeo Choudhary, Resident of Village-Gausia, P.S.-Manjha, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Imtiyaz Hussain, Advocate
For the Respondent/s : Mr.Vinay Kirti Singh (GA 2)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-10-2022 The present petition has been filed seeking the
following reliefs :-

*“(i) For issuance of appropriate writ thereby
commanding upon the respondents
concerned to remove the encroachment made
by respondents no. 11 and 12 over Saran*



Tatbandh/ Saran Bandh by making pucca construction over the slope of Saran Bandh which may cause damage to the Banch and which is parti Kadeem Gair Majarua Malik land registered in the Register-2 bearing Mauja-Gausia, Thana no. 25, Khata no. 281, Khesra no. 572 area-1 acre 07 decimal.

(ii) For further direction upon the respondents concerned particularly respondent Circle Officer, Manjha, Gopalganj to comply the order and direction dated 10.12.2019 passed in complaint case no. 415110125091901448 dated 25.09.2019 passed by District Public Complaint Redressal Officer, Gopalganj, by which the respondent, Circle Officer, Manjha has been directed to get the encroachment land, Khesra no. 572 measured and if any encroachment is found then to institute the encroachment case and to remove the same in accordance with law.”

At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Circle Officer, Manjha, Gopalganj 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, Manjha, Gopalganj 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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