

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13899 of 2022

Prabhakar Jha Son of Sri Ravindra Jha, Resident at Jha Niwas, Yamuna Path,
New Area, Gondapur, P.S.- Nawada, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Principal Secretary, Department of Primary Education, Government of Bihar, New Secretariat, Patna.
2. The District Magistrate, Nawada.
3. The District Development Commissioner, Nawada.
4. The District Education Officer, Nawada.
5. The District Programme Officer (Madhyamic Shiksha), Nawada.
6. The Block Education Officer, Block- Nawada.
7. The Headmaster, Sarvodaya High Inter School, Hadsa, Hisua, Nawada.
8. The School Management Committee, Sarvodaye High Inter School, Hadsa, Hisua, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate
For the Respondent/s : Mrs. Shilpa Singh (GA 12)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 16-09-2022

Petitioner has prayed for the following relief(s):

“I. For a direction to remove/stop the construction of a pond in the campus of High School, Hadsa, Hisua, Nawada.



II. For further direction to fill the soil in to the land of the school, which was illegally leased out by the Respondent No. 7 and 8 for their own benefit.

III. For any other order or orders which this Hon'ble Court may deem fit and proper under the facts and circumstances of this case.”

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law, including under the Bihar Public Land Encroachment Act, 1956.

Prayer allowed.

The petition is disposed of as withdrawn with the liberty aforesaid.

Liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

It stands clarified that all issues of fact and law are



left open to be agitated by the competent authority.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

AFR/NAFR	
CAV DATE	
Uploading Date	20.09.2022
Transmission Date	

