

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.689 of 2023

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Sone Lal Rai Son of Ram Kripal Rai Resident of Village and P.O.-Balour Via
Keotsa, Baruari, Phakrina, District-Darbhangha, Bihar-847107

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Minor Irrigation
Government of Bihar.
2. Additional Chief Secretary, Minor Irrigation, Department Bihar,
Government of Bihar.
3. District Magistrate, Muzaffarpur.
4. Anchal Adhikari, Gay Ghat, District-Muzaffarpur.
5. Executive Engineer, Minor Irrigation, Department, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kumar Sameer, Advocate Mr. Ashok Kumar, Advocate Ms. Prakritita Sharma, Advocate
For the Respondent/s	:	Mr.Md. Khurshid Alam (AAG- 12)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

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(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.)

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2 20-01-2023 Petitioner has prayed for the following relief(s):-



That this application is being filed for issuance of an appropriate writ, order or direction to the Respondents to get the encroachment over the Sluice Gate constructed between Balour Chowk and the house of the then Sarpanch Juman Miyan and also to get the encroachment of Irrigational channel vacated. The said channel provides Irrigation to 5 villages, Balour, Bhagwatpur, Jamiya, Ladaur and Ramauli. The said Sluice Gate may also be repaired. So that the villagers may get irrational.

After the matter was heard for some time, finding the Court not to be in favour of the submissions made across the Bar, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies, as are otherwise available, in accordance with law.

Permission granted.

We are sure that as and when any such proceedings are initiated, before the appropriate forum/Tribunal, the same shall be considered and decided expeditiously, in accordance with law.

Needless to add, period for which the petitioner has been pursuing the matter before this Court, shall be excluded for



the purpose of computing limitation.

It is made clear that we have not expressed any opinion on merits. All issues are left open.

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

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

P.K.P./Amrendra

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