

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3794 of 2024

Rajesh Mishra Son of Late Vinoy Kumar Mishra Resident of Village-Panjwara, P.O.-Panjwara, P.S.-Panjawara, Anchal-Barahat, District-Banka, Presently Residing at Flat No. C-455, 2nd Floor, Yozna Vihar, P.S.-Vivek Vihar, District-East Delhi-110092.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The Director, Directorate of Panchayati Raj Department of Panchayati Raj, Government of Bihar, Patna.
3. The Collector-Cum-District Magistrate, District-Banka.
4. The Deputy Development Commissioner, District-Banka.
5. The District Panchayati Raj Officer, District-Banka.
6. The Nodal Officer, NALI-GALI Yojna, District-Banka.
7. The Block Development Officer, Barahat, District-Banka.
8. The Circle Officer, Barahat, District-Banka.
9. The Block Panchayati Raj Officer, Barahat, District-Banka.
10. The Station House Officer, Panhwara P.S., District-Banka.
11. The Mukhiya, Gram Panchayat Raj Panjwara, P.S.-Panjwara, Block-Barahat, District-Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Respondent/s : Mr. Sajid Salim Khan, Standing Counsel (25)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 18-03-2024 Heard learned counsel for the petitioner and learned SC 25 Shri Sajid Salim Khan on behalf of the State.

2. This application has been filed on behalf of the petitioner seeking a direction to the respondents authorities to take appropriate steps for replacement of drainage system built upon the petitioner's land bearing Khata No. 609, Khesra No. 474/115 and 329/116 under Revenue Mauza-Panjwara in the Barahat Circle, Dist-Banka.

3. From the report dated 11.03.2024, submitted by the District Land Acquisition Officer and Deputy Collector, Land



Reforms, Banka, it appears that government land is available on which the drain in question can be shifted and the government land bearing Khesra No. 117 on which the drain can be shifted is adjacent to the land of the petitioner over which the present drain has been constructed by the authorities without acquiring the land of the petitioner.

4. In these circumstances, the authorities are directed to make necessary changes and get the drain in question shifted over the government land i.e. Khesra No. 117 after removing the same from the land of the petitioner.

5. The shifting of the drain from the petitioner's land to the government land must be done by the concerned authorities within two weeks from the date of receipt/communication of a copy of this order.

6. With the aforesaid directions, this application stands disposed of.

7. Let a copy of this order be communicated to the District Magistrate, Banka through FAX for its compliance.

(Sandeep Kumar, J)

Vikas/-

U			
---	--	--	--

