

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3519 of 2014

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1. Awdhesh Kumar Rai S/O Late Radha Mohan Rai Resident Of Village - Chauri, P.S. Chauri, District - Bhojpur
 2. Jai Bahadur Rai S/O Late Nishan Rai Resident Of Village - Bhatbigaha, P.S. Chauri, District - Bhojpur
 3. Mahendra Rai S/O Late Prasidh Rai Resident Of Village - Kanpahri, P.S. Chauri, District - Bhojpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Rural Works Department, Government Of Bihar, Patna
3. The District Magistrate, Bhojpur
4. The Sub - Divisional Officer, Sub Division Office, Sadar Ara
5. The Director, District Rural Development Authority, Bhojpur
6. The District Programme Officer, Sahar, Bhojpur
7. The Deputy Development Commissioner, Bhojpur Ara
8. The Circle Officer - Cum - Block Development Officer, Sahar, Bhojpur
9. The Superintending Engineer, Sone Canal Division, Ara
10. The Executive Engineer, Rural Works Department, Rural Works Division Piro, Bhojpur

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ravindra Kumar, Adv.
For the Respondent/s	:	Mr. Raghwanand, GA-II
		Mr. Sanjay Kumar Tiwari, AC to GA-II

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 01-05-2024 The present writ has been filed seeking the following reliefs:-

“1(i). For a direction upon the respondents to excavate the Canal, which is the only source of irrigation for village 'Chauri', 'Bhat Bigaha', 'Dhanchua', 'Amruha' and 'Kanpahari and which is



being encroached upon by the people of village 'Koni' by illegally filling up soil in the Canal;

(ii). For restraining the respondent from constructing road over the canal by inviting tender under 'Pradhanmantri Gram Sadak Yojana';

(iii). For a direction upon the respondent particularly the Block Development Officer (B.D.O.), Sahar, to act upon the directions/instruction given by the Sub-Divisional Officer, Sahar, Ara, vide its Memo No. 1336 dated 13.09.2013 whereby and whereunder the B.D.O., Sahar, was directed to excavate the canal;

(iv). For a direction upon the respondents not to give effect or to act upon from further proceeding under the 'Tender' for the so called road, which is illegal, as there is no provision for any road under the survey Khatiyan at the proposed road construction site.”

2. After some arguments, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to approach the District Magistrate, Bhojpur at Ara, for redressal of their aforesaid grievances. Liberty, so sought, is granted.

3. Accordingly, the writ petition stands disposed off.

(Mohit Kumar Shah, J)

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