

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7880 of 2024

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Mohammad Isahak Son of Late Mohammad Alam, Resident of Village - Gobargadha, Garhgaon, Ward No. - 04, P.O. - Basipatti, P.S. - Bheja, District - Madhubani, State - Bihar - 847408.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Dept. Govt. of Bihar, Patna.
2. The District Magistrate, Supaul.
3. The Chief Engineer, Flood Control and Water Drainage, Water Resources Department, Birpur, District - Supaul.
4. The Circle Officer, Supaul, District - Supaul.
5. The Rehabilitation Officer, Koshi Project, Supaul, District - Supaul.
6. Abdul Hamid Son of Abdul Majid, Resident of Village - Kharail Parsa Punarwas, Ward No. - 16, P.S. - Supaul, District - Supaul, State - Bihar - 852131.
7. Abdul Majid Son of Late Md. Ismail, Resident of Village - Kharail Parsa Punarwas, Ward No. - 16, P.S. - Supaul, District - Supaul, State - Bihar - 852131.
8. Md. Yunus Ansari Son of Late Nasir Ansari, Resident of Village - Kharail Parsa Punarwas, Ward No. - 16, P.S. - Supaul, District - Supaul, State - Bihar - 852131.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Kuldeep Kumar, Adv.
For the Respondent/s	:	Mr. Sarvesh Kumar Singh, AAG-13
		Ms. Sunita Kumari, AC to AAG-13

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-07-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). For Issuance of a direction, order or writ, including writ in the nature of MANDAMUS, direction to the respondent authorities especially the Rehabilitation Officer, Kosi project Supaul and Circle Officer, Supaul to remove the



encroachment from the encroached site, assurance of later which vide memo no.- 1243 dated 24/07/2015 (ANNEXURE-P1) of the Director, Land Acquisition & Rehabilitation, Water Resources Department Govt. of Bihar, Patna, where under the Director of the said department has directed the Rehabilitation Officer, Koshi Project, Supaul to remove the encroachment by instituting an encroachment case under the Bihar Public Land Encroachment Act for emancipating the encroached land of the rehabilitation department.

(ii). For issuance of an appropriate writ/writs, direction/directions upon respondent authorities to remove encroachment from the land of Koshi project settled to the petitioner under the rehabilitation scheme without further delay by taking effective steps against the unauthorized occupants.

(iii). For issuance of a direction/directions or writ/writs including writ in the nature of mandamus commanding the concerned respondent authorities under the rehabilitation department specially the respondent nos. 4 & 5 to provide the petitioner with the layout No. 427, area 05 decimals in Kharail Parsa Punarwas site allotted under the rehabilitation scheme from the name of his grandfather namely Karamat Miyan Son of Nabbi Miyan and settle him there at without further delay by taking effective steps



against the encroachers/unauthorized occupants.”

2. After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to approach the Respondent 4 i.e. the Circle Officer, District-Supaul, for redressal of his aforesaid grievances. Liberty, so sought, is granted.

3. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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