

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12856 of 2018

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Kumar Navin S/o Late Ram Anugrah Prasad, Resident of Mohalla- Gomati
nagar, House No. 76, P.S.- Dewas, District- Madhya Pradesh at Present
Resident of Village- Murgiya Chak, P.S.-Warsali Ganj, District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Rural Work Department, Bihar, Patna.
3. The District Magistrate, Nawada.
4. The Sub-Divisional Officer, Nawada.
5. The Executive Engineer Rural Work Department, Nawada.
6. The Block Development Officer, Warsaliganj, Nawada.
7. The Circle Officer, Warsaliganj, Nawada.
8. The Circle Inspector, Warsaliganj, Nawada.
9. The Anchal Amin, Warsaliganj, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 05-10-2024 1. Though, the present writ petition has been filed for directing the respondents not to fill up the 'Pane' (branch of river) by constructing road, inasmuch as the same is the only source of irrigation for the farmers of village-Murgia Chak, Block-Warsaliganj, Nawada, however, the learned counsel for the respondent-State has submitted by referring to paragraph no.7 of the counter affidavit, filed in the present case that the Executive Engineer, Rural Works Department, Works Division, Nawada has stated that road is being constructed on that portion



of the land in question, where brick soling has been done and is in existence since last 30-35 years and no irrigational facilities/activities are in existence at the aforesaid so called pane in question as also there is no sign/indication of flow of water from the said pane, hence it is submitted that the present writ petition is misconceived.

2. This Court finds that the aforesaid stand taken by the respondents in the counter affidavit has not been controverted by the petitioner, inasmuch as no rejoinder affidavit has been filed, hence considering the aforesaid stand taken by the respondents in the counter affidavit, this Court is satisfied that the present writ petition is sans any merit, hence the same stands dismissed.

(Mohit Kumar Shah, J)

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