

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11002 of 2024

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Ranvijay Kumar Son of Jhigan Yadav, Resident of Village- Sarkuna, Police Station- Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Water Resources (Minor), Government of Bihar, Patna.
3. The Principal Secretary, Revenue and Land Reforms, Government of Bihar, Patna.
4. The District Magistrate, Patna District, Patna.
5. The Executive Engineer, Minor Irrigation Department, Jal Bhawan, Aerodrome Road, Patna.
6. The Sub-Divisional Officer, Paliganj Sub-Division, District- Patna.
7. The Block Development Officer, Dulhin Bazar Block, District- Patna.
8. The Circle Officer, Dulhin Bazar Block, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar, Advocate
For the Respondent/s : Mr. Advocate General

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 25-07-2024 Heard learned counsel for the petitioner and learned Counsel for the State.

2. The petitioner is concerned with a water canal which is said to have been blocked due to illegal encroachment by few antisocial elements causing thereby more than 1000 acres of agricultural land to be deprived of irrigation. None of the encroachers have made party in this case and if at all there is a



case of encroachment on the public land the remedy is under Bihar Public Land Encroachment Act, 1956.

3. The petitioner has an alternate remedy to proceed under the Bihar Public Land Encroachment Act, 1956. There cannot be maintained a Public Interest Litigation on the subject matter nor is the invocation of the extraordinary power possible; when there is such an alternate efficacious remedy available.

4. Present petition stands dismissed with the liberty aforesaid; without any observation on merits, or even the locus standi of the petitioner, which has to be decided by the Appropriate Authority under the Act of 1956.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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