

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11618 of 2024

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Shafaque Ansari @ Shafaq Wife of Md. Hasib Shekh @ Md. Hasib, resident of Village-Bela Punarwas, Ward No. -15, P.O.-Supaul, P.S.-Supaul, District-Supaul, State-Bihar-852131.

... .. 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. Md. Jafir, Son of Late Md. Yaqub, resident of Village-Bela Punarwas, Ward No. -15, P.S.-Supaul, District-Supaul, State-Bihar-852131.
7. Md. Mumtaj son of Md. Jafir, resident of Village-Bela Punarwas, Ward No. -15, P.S.-Supaul, District-Supaul, State-Bihar-852131.
8. Md. Shamshad son of Md. Jafir, resident of Village-Bela Punarwas, Ward No. -15, P.S.-Supaul, District-Supaul, State-Bihar-852131.
9. Amida Khatun Wife of Late Md. Yaqub, resident of Village-Bela Punarwas, Ward No. -15, P.S.-Supaul, District-Supaul, State-Bihar-852131.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Kuldeep Kumar, Advocate
For the State	:	Mr. Raghwanand, GA-11
		Mr. Pratik Kumar, AC to GA-11

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-08-2024 The present writ petition has been filed seeking the following relief:-

"1(i) For Issuance of a direction, order or writ, including writ in the nature of MANDAMUS, directing the respondent authorities especially the Rehabilitation Officer, Kosi Project Supaul and Circle Officer, Supaul to remove the encroachment from the encroached



rehabilitation site which has been encroached by the private respondent no. 06 to 09, in terms of letter contained in memo no. 1243 dated 24/07/2015, of the Director, Land Acquisition & Rehabilitation, Water Resources Department govt. of Bihar, Patna whereunder 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, allotted to the petitioner's grandfather-in-law 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 layout No. 91, i.e. encroached area of 02 decimals out of 4½ decimals, situated at Kharail Malhad Punarwas site, allotted under the rehabilitation scheme in the name of her grandfather-in-law namely Shekh Ibrahim Son of Shekh Ramjan and settle it 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 Circle Officer, Supaul, District-Supaul for redressal of her aforesaid grievances. Liberty, so sought, is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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