

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.639 of 2019

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Ramsidh Sharma Son of Late Bachu Sharma, Resident of Village- Hardaspur,
P.O.- Saho Bigha, P.S.- Ghosi, Dist- Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors.
2. The Principal Secretary, Irrigation Deptt., Govt. of Bihar, Patna.
3. The Principal Secretary, Land Revenue and Land Reforms, Govt. of Bihar, Patna.
4. The District Magistrate, Jehanabad.
5. The Executive Engineer, Irrigation Department, Jehanabad.
6. The Circle Officer, Circle Ghosi, Dist- Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Sharma
For the State : Mr. Sumant Kumar Singh, AC to GA-12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 23-04-2024 Heard the parties.

2. The instant the petitioner has preferred petition
for issuance of mandamus or any other writ (s), order, direction
upon the respondents for the following relief (s) :-

*(i) To order to not dig Uderasthan to
Madhawpur Branch canal on the
private land of the petitioner untill the
same is acquired by the govt/Deptt
concerned and the petitioner is paid
the award money for that.*

(ii) To order the respondents



concerned to first acquire the private land of the petitioner after paying the award amount to the petitioner and thereafter dig the canal on that land.

(iii) For any other relief (s) for which the petitioner is entitled in the facts and case. circumstances of this case.

3. The State through respondent No.5, (The Executive Engineer, Irrigation Department, Jehanabad) has filed counter affidavit and paragraphs 7 and 8 shows that those plots are still under the possession of the petitioner and no lining work has been done.

4. Reply to the counter affidavit has also been filed to the said averment of the State Officials. It has been stated that the same is not correct.

5. Learned counsel for the petitioner submits to cut short the matter as the State counsel are denying their presence on his ancestral land, he would be preferring petition along with the requisite fee for getting his land demarcated before the respondent No.6 (The Circle Officer, Ghosi, Jehanabad) within four weeks from today, learned counsel for the State has no objection.



6. In that view of the matter, the writ petition stands disposed of allowing the petitioner to move before the concerned respondent, as stated above, within a period of four weeks from today along with all the relevant documents and requisite fee who shall after noticing the other side also fix a date and get the land demarcated in the presence of all the concerned parties preferably within a period of four months from the date the petitioner files application.

(Rajiv Roy, J)

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