

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15907 of 2021

Dr. Md. Nehal Akhter Son of Late Md. Mushtaque Hussain, resident of
Village - Chhoti Ballia, Upper Tola, P.S.- Ballia, District - Begusarai 851211.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Deputy Development Commissioner, Begusarai.
3. The District Magistrate cum Collector, Begusarai, District - Begusarai.
4. The Additional Collector, Begusarai, District - Begusarai.
5. The Deputy Collector Land Reforms, Ballia, District - Begusarai.
6. The Circle Officer, Ballia Anchal, District - Begusarai.
7. The Executive Engineer, Tubewell Department, Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Sinha, Adv.
For the Respondent/s : Mr. Raj Kishore Roy (Gp18)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 28-04-2025 In the instant petition, the petitioner has prayed for
following relief(s):-

*“(a) To issue a writ of Mandamus
commanding the Respondents to discharge
their legal obligation by
prohibiting/restraining the officials doing
excavation work by force for making pond in
the name of ‘Jal Jeevan Hariyali Yojna’ of the
State Government on the raiyati land of the
petitioner and his family.*

*(b) To any other relief or reliefs for
which the petitioner may be found to be
entitled.”*



2. Learned counsel for the petitioner submits that the claim of the petitioner with respect to part of the land appertaining to Tauzi no.665, Thana no.627, Khata no.825, Khesra no.617 situated at Mauza-Ballia (Akhtiarpur Chulhan) within Ballia Anchal. The said land belongs to the petitioner and he is the raiyati owner of the land in question. He further submits that the concerned authority has started excavation work on the land of the petitioner and his family for constructing pond in the name of '*Jal Jeevan Hariyali Yojna*'. He further submits that he has represented his grievance before the District Magistrate, Begusarai with regard to excavation work on the land in question for the purpose of pond.

3. Learned counsel for the State submits that in para 6 of the counter affidavit, it has been admitted that the concerned authority has stopped the work of excavation in view of representation made by the petitioner.

4. At this stage, learned counsel for the petitioner submits that the representation of the petitioner has not been decided by the concerned authority and the same is still pending.

5. Considering the facts and circumstances of the case and the arguments advanced on behalf of both the parties,



the present writ petition stands disposed of with direction that the concerned authority shall decide the representation of the petitioner within a reasonable time after giving due opportunity of hearing to the parties concerned.

(Alok Kumar Pandey, J)

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