

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14583 of 2024

1. Funda Devi W/o Sri Vimal Kumar, R/o Village-Matasi, P.S.-Halsi, District-Lakhisarai.
2. Mukesh Kumar, s/o Late Damodar Singh, R/o Village and P.O.-Nandpur, P.S.-Suryagarha, District-Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Water Resources Department, Government of Bihar, Patna.
4. The Additional Chief Secretary, Rural Works Department, Government of Bihar, Patna.
5. The Principal Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
6. The Principal Secretary, Minor Water Resources Department, Government of Bihar, Patna.
7. The Commissioner, Munger Division, Munger, District-Munger.
8. The District Magistrate Lakhisarai, District-Lakhisarai.
9. The Deputy Collector of Land Reforms, Lakhisarai, District-Lakhisarai.
10. The Superintendent Engineer, Minor Irrigation Circle, Munger, District-Munger.
11. The Superintendent Engineer, Rural Works Department, Munger, District-Munger.
12. The Executive Engineer, Rural Works Department, Work Division-1, Lakhisarai, District-Lakhisarai.
13. The Executive Engineer, Minor Irrigation Division, Lakhisarai, District-Lakhisarai.
14. The Block Development Officer, Halsi, Block-Halsi, District-Lakhisarai.
15. The Circle Officer, Halsi, Block-Harlsi, District-Lakhisarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Respondent/s : Mr. P.K. Shahi, Advocate General

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



(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 10-01-2025

The writ petition is filed to demolish the construction of a PCC road which is said to be constructed over a canal situated at Mauza-Matasi, Thana No.-137, Tauzi No.-8220, Khata No.- 193, Khesra No.-1336 in the District of Lakhisarai. The contention raised is that if the encroachment is continued, then necessarily there would an obstruction of the water flow in the canal thus affecting the adjacent lands which are to be irrigated.

2. Counter affidavits have been filed both by the Executive Engineer Minor Irrigation Division, Lakhisarai and the Executive Engineer, Rural Works Department (for brevity 'R.W.D.'). The counter affidavit of the Minor Irrigation Division indicates that there is no flow in the canal which is alleged to be obstructed. It is also averred that the road in question was constructed ten years ago and now the R.W.D. has restored the construction on the basis of the complaints received from the villagers. It is submitted that the area is thickly populated and there is no land for irrigation in and around the constructed road.



3. We find absolutely no reason to entertain the writ petition and dismiss the same.
4. The writ petition stands dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Anushka/-

AFR/NAFR	
CAV DATE	
Uploading Date	15.01.2025
Transmission Date	

