

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17776 of 2025

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Sunil Kumar Ram Son of late Baldev Ram, Resident of village- Kharail Parsa
Karnpur Punarwas, Ward No.- 16 Nagar Parishad Supaul, P.O. - Supaul, P.S. -
Supaul, District - Supaul, State - Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources
Department, Government of Bihar, Patna.
2. The Commissioner, Kosi Division, Saharsa.
3. The District Magistrate, Supaul.
4. The Additional Collector (Revenue), Supaul.
5. The Chief Engineer, Flood Control and Drainage, Water Resources
Department (WRD), Birpur, Supaul.
6. The Sub-Divisional Officer, Supaul.
7. The Circle Officer, Supaul -cum- Member Lottery Committee.
8. The Rehabilitation Officer, Kosi Project, Supaul cum Chairman Lottery
Committee.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar, Advocate
For the State	:	Mr. Government Pleader 12

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-11-2025 Heard the parties.

2. The present petition has been preferred for the
grant of following relief(s):

*“(i) for issuance of a writ in the nature
of Mandamus for directing, commanding the
respondent authorities particularly the
Rehabilitation Officer, Koshi Project, Supaul-
cum-Chairman Lottery Committee to forthwith*



cancel the illegal and arbitrary Settlement (Bandobasti) of the East-Pond and West-Pond situated at Khrail Parsa Karnpur Rehabilitation Site, granted on 03.06.2025 (as per Annexure-P/2) for the period 2025-26 to 2027-2028 (three years), the same being violative of statutory rules, prescribed procedures, and principles of natural justice.

(ii) for issuance of a writ in the nature of Mandamus, commanding the respondents to conduct a fresh settlement (Bandobasti) of the aforesaid ponds in a fair, legal, and transparent manner, after proper publication of notice in local newspapers and after giving adequate opportunity to local residents, beneficiaries, and interested parties to participate in the settlement (Bandobasti) process of ponds, under the supervision of a senior officer so as to safeguard government revenue and protect the rights of local rehabilitated persons.

(iii) for issuance of a writ in the nature of Mandamus for directing, commanding the



respondent authorities to take appropriate disciplinary and penal action against those officials who, in collusion and conspiracy, indulged in illegal, arbitrary, and mala-fide exercise of power, thereby causing loss to the public exchequer and adversely affecting public interest.

(iv) for a direction upon the respondents to consider and accept the petitioner's readiness and willingness to deposit one and a half times the existing settlement amount in one lump-sum, in order to protect government revenue and ensure fairness.

(v) for any other relief/reliefs that the petitioner may be found to be entitled to in the facts and circumstances of the present case.”

3. The contention of the petitioner is that appropriate steps were taken before the issuance of notice/settlement and he has approached the Superintendent Engineer with the complaint without any reply.

4. Learned State counsel submits that the person who has been settled the pond, has not been made party respondents



and as such, the petition is fit to be dismissed for non-joinder of necessary parties. He further submits that the respondent no.5, the Chief Engineer, Flood Control and Drainage, Water Resources Department (WRD), Birpur, Supaul has been made party respondent in this case and the Officer (Superintendent Engineer) whom the petitioner has approached, has also not been impleaded as respondent in the present case.

5. Learned counsel for the petitioner submits that he shall be approaching the respondent no.5, the Chief Engineer, Flood Control and Drainage, Water Resources Department (WRD), Birpur, Supaul, in next four weeks.

6. If the contention of the petitioner is correct, the respondent no.5, the Chief Engineer, Flood Control and Drainage, Water Resources Department (WRD), Birpur, Supaul is duty bound to look into the matter and after noticing/hearing all the parties shall be passing an appropriate reasoned order.

7. The writ petition is disposed of with the aforesaid observations.

(Rajiv Roy, J)

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