

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4012 of 2026

Bhartiya Nyaypriya Nagrik Parishad

... .. Petitioner/s

Versus

The State of Bihar & Ors.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate

For the Respondent/s : Mr. Sanjay Kumar Ghosarvey, A.C. to A.A.G.-3

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-03-2026

The present writ petition, in the nature of a Public

Interest Litigation, has been filed seeking the following reliefs:-

"(i) To issue writ in nature of writ of mandamus or any writ order commanding Respondents particularly, Respondent No. 3 to 7 to henceforth, expeditiously remove encroachment on the either side of the main canal connecting Ramrekha Ghat Simra of river Budhi Gandak to Moti Jheel in Motihari Town and to restore the said canal to its original width and continuous flow.

(ii) To issue consequential writ in nature of writ of mandamus or any writ order commanding Respondent No. 8 to 13 immediately carry out the letter No. 1279 dated 24.12.2022 issued by Respondent No. 12 and take expeditious steps accordingly before the onset of monsoon season in order to mitigate the travesty of flood in



Motihari."

2. Learned counsel for the petitioner submits that the canal in question connects Moti Jheel (Motihari) to Ramrekha Ghat, Simra, of the Budhi Gandak River. The said canal is approximately 11 kilometers in length and has the potential to serve as an alternative channel for recharging the water of the aforesaid Moti Jheel. It is further submitted that the canal can play an effective role in preventing and mitigating the threat of floods in Motihari.

3. He has drawn the attention of this Court to the letter dated 24.12.2022 addressed to the District Magistrate, East Champaran, Motihari (Respondent No. 6) by the Executive Engineer, Tirhut Canal Division, Motihari (Respondent No. 12). It is submitted that upon receipt of the said letter, Respondent No. 6 constituted a committee to conduct an enquiry and directed it to submit a detailed report.

4. It is the contention of the learned counsel for the petitioner that, despite several meetings having been held, no enquiry report has been submitted till date. Consequently, the inaction on the part of the respondent authorities is causing serious inconvenience to the residents of Motihari, particularly during the rainy season, when they are compelled to face flooding and waterlogging.



5. Issue notice to the respondents.

6. Learned counsel for the State accepts notice on behalf of all the respondents.

7. Learned counsel for the State shall file a response, through the competent authority, within a period of four weeks.

8. List this matter on **23.04.2026**.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

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