



IN THE **KOLKATA** BENCH,

**Original Application No. 191/2024/EZ**

**IN THE MATTER OF:**

**Sunil Kumar Sahu**

**...Applicant**

**Versus**

**The State of Bihar &Ors.**

**...Respondents**

**INDEX**

Srl No. Particulars Page No.

- 1. Counter Affidavit filed by District Magistrate, Madhubani

Filed by  
 Surendra Kumar  
 Advocate WB/535A/1998

*99est*  
*DB7900dal*  
 Adv.  
*10/3/25*

**SUSHIL KUMAR MANDAL**  
**ADVOCATE**  
 Subdivision Court, Phulparas  
 Enrolment No- BR/360/2021

**NOTARY**  
 ASHOK KUMAR  
 CHAUDHARY  
 Advocate, Phulparas  
 Madhubani  
 Reg No. 163/2024  
 Exp-08-07-2029  
*10/3/25*

X

852  
10/3/25

**IN THE NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH,  
KOLKATA**

**Original Application No. 191/2024/EZ**

**IN THE MATTER OF:**

**Sunil Kumar Sahu**

**...Applicant**

**Versus**

**The State of Bihar &Ors.**

**...Respondents**

Snn *Amar Kumar Choudhary*  
Identified by Sn. *Sushil Kumar Mandal*  
Advocate & Solemnly Affirm & Decla.  
before me *AD*  
10/3/25

**COUNTER AFFIDAVIT FILED ON BEHALF OF DISTRICT  
MAGISTRATE, MADHUBANI**

I, Amar Kumar Choudhary, Son of Late Suresh Mandal, aged about 40 years, by occupation – Public Servant, working for gain at Circle Officer, Madhubani do hereby solemnly affirm and state as follows:

1. That the present counter affidavit is being filed on behalf of the Respondent No. 2 and 3 in pursuance to order dated 19.09.2024 passed by the Hon'ble Tribunal in the present matter.
2. That vide order dated 19.09.2024 the Hon'ble Tribunal has directed the respondent State of Bihar to file counter affidavit within four weeks and further the respondents, Government of Bihar has been directed to explain in the counter affidavit that what action has been taken on the Applicant's complaint dated 21.07.2024 made to the Respondent No. 3 Circle Officer, Laukahi, District-Madhubani, copy of which has been filed as Annexure- 3, Page 31 to the Original Application.
3. That the order dated 19.09.2024 passed by the Hon'ble Tribunal has been communicated to the Collector, Madhubani vide letter No. 1780 dated 18.11.2024 by the Assistant Director, Land

*gvt. of Bihar*  
*Sushil Kumar Mandal*  
Adv.  
10/3/25

**SUSHIL KUMAR MANDAL**  
**ADVOCATE**  
Subdivision Court, Phulparas  
Enrolment No. BR/060/2021

*[Handwritten signature]*

*AD*  
*10/3/25*  
**NOTARY**  
ASHOK KUMAR  
NOTARY  
Phulparas  
Madhubani  
Reg No. 153/2024  
Exp. 09-07-2026  
**GOVT OF BIHAR**

X

Acquisition cum Joint Secretary, Revenue and Reforms Department. Govt. of Bihar.

4. That pursuant to order passed by the Hon'ble Tribunal the In-charge Officer District Revenue Section, Madhubani vide Letter No. 128 dated 09.01.2025 directed the Circle Officer, Laukahi to take appropriate further action in light of order dated 19.09.2024.
5. That pursuant to aforesaid direction the Circle Officer, Laukahi directed the concerned Revenue Karmchari and Anchal Amin, Laukahi to make a spot verification and thereafter submit a report with regard to status of land appertaining to Khata No. 192. Khesra No. 1097. Mauza- Sananpatti.
6. That pursuant to aforesaid the Revenue Karmchari and Anchal Amin, Laukahi conducted spot verification of the subject land and also perused the Khatian of the subject land which are as follows:-
  - (i) As per cadastral survey the land appertaining to Khata No. 106. Khesra No. 753 the land has been mentioned as Gair Majorua Khas and nature of land has been mentioned as Parti Kadim.
  - (ii) As per revisional survey the land appertaining to Khata No. 192, Khesra No. 1097, admeasuring 2 Acre 92 decimal land has been mentioned as Anabad Bihar Sarkar and nature of land has been mentioned as Purani Parti.
7. That the applicant before the Hon'ble Tribunal has raised an objection and claimed the land to be a pond though as per cadastral and Revisional Survey the subject land belongs to State of Bihar. During spot verification it was found that due to accumulation of water during rainy season due to cutting of soil

9/9/25

Sushil Kumar Mandal  
Adv.  
10/9/25

**SUSHIL KUMAR MANDAL**  
**ADVOCATE**  
Subdivision Court, Phulparas  
Enrolment No. BR/UGC/2021




X

by local people it has been stated that the nature of land as Pokhar.

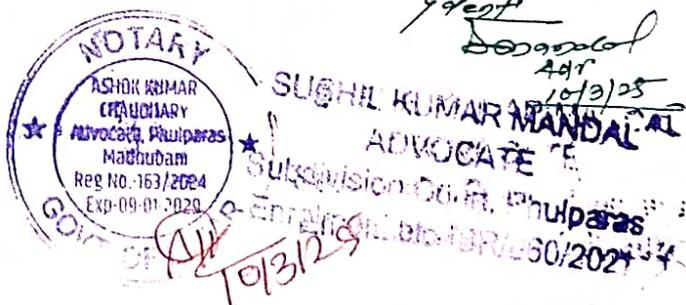
8. That at present the proposal for construction of Model Police Station (G+2) over the land appertaining Khata No. 192, Khesra No. 1097 has been cancelled and a new proposal has been sent for construction of Model Police Station (G+2) over the land appertaining to Khata No. 2161, Khesra No. 6480, measuring 90 decimals and the nature of land is dhanahar.
9. That the Revenue Karmchhari and Anchal Amin, Laukahi vide dated- 05/02/2025 forwarded the enquiry report to the Circle Officer, Laukahi. A true photocopy of dated 05/02/2025 is annexed herewith and marked as Annexure- R/1.
10. That in the facts and circumstances stated above the grievance of the petitioner that the Model Police Station has been constructed over a pond is no more survives.
11. That in the facts and circumstances stated above the present application is fit to be disposed of.
12. That the statements made in paragraph nos. 1 to 8 are true to my knowledge and belief and statement made in paragraph no. 9 is information derived from record and the rest thereof are my humble submissions before this Hon'ble Tribunal.

Solemnly affirmed on  
this \_\_\_ day of March,  
2025.

*Ame kumar choudhary*  
DEPONENT

Identified by me

Advocate



X

VERIFICATION

I, Amar Kumar Choudhary Son of Suresh Mandal,  
aged about 40 years, by occupation - Public Servant, working for gain at  
Circle office the deponent above named, do hereby verify that the  
Machudam contents of this affidavit are true and correct to my knowledge and  
belief. No part of it is false, and nothing material has been concealed  
therefrom.

Solemnly affirmed on  
this \_\_\_ day of March,  
2025.

Amar Kumar Choudhary

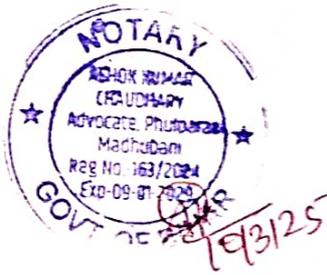
DEPONENT

Identified by me

Advocate WB/535A/1998

Sushil Kumar Mandal  
Adv.  
18/3/25

SUSHIL KUMAR MANDAL  
ADVOCATE  
Subdivision Court, Pruthparas  
Enrolment No- BR/860/2021



सेवा में,

अंचल अधिकारी  
लौकही।

Annexure-R/S

विषय:-

मौजा साननपट्टी खाता-192 खेसरा-1097 पर दिये गए मॉडल पुलिस स्टेशन भवन (G+2) का प्रस्ताव दिए जाने संबंधि जांच प्रतिवेदन का प्रेषण।

महाशय,

उपर्युक्त विषय के संबंध में कहना है कि मधुबनी जिला अंतर्गत अंचल लौकही में मौजा साननपट्टी में अभिलेख सं०- के द्वारा मॉडल पुलिस स्टेशन भवन (G+2) का निर्माण हेतु प्रस्ताव भेजा गया था। जिसका कैंडेस्ट्रल सर्वे (पुराना) एवं रिविजिनल सर्वे (नया) के अनुसार खतियान का ब्यौरा निम्न प्रकार है।

कैंडेस्ट्रल सर्वे के अनुसार

क्र०सं०	अंचल	मौजा	रैयत	खाता	खेसरा	रकवा	किस्म
1	लौकही	साननपट्टी	गैर मजरूआ खास	106	753		परती कदीम

रिविजिनल सर्वे के अनुसार

क्र०सं०	अंचल	मौजा	रैयत	खाता	खेसरा	रकवा	किस्म
1	लौकही	साननपट्टी	अनावार बिहार सरकार	192	1097	2 ए० 92डी०	पुरानी परती

स्पष्ट है कि उपर्युक्त खाता खेसरा की भूमि का खतियानी किस्म परती एवं सरकारी भूमि है जबकी नेशनल ग्रीन ट्रिब्युनल कोलकता में संचालित वाद सं-191/2024 सुनिल कुमार, रामपुकार साहु बनाम बिहार राज्य एवं अन्य में नरहिया थाना भवन निर्माण हेतु भेजे गए प्रस्ताव पर आपत्ति करते हुए उपर्युक्त भूमि को पोखर बताया गया है। स्थल निरीक्षण में पाया कि स्थानिय लोगों द्वारा मिट्टी काटे जाने के कारण वारिस के मौसम में पानी का जमाव होने से इसे पोखर का स्वरूप बताया गया है जो गलत है। वर्तमान में उपर्युक्त भेजे गए प्रस्ताव को रद्द करते हुए पुनः नये सिरे से प्रस्ताव भेजा गया है जो वर्तमान में संचालित नरहिया थाना के समीप ही है। जिसका भूमि का ब्यौरा निम्न प्रकार है।

कैंडेस्ट्रल सर्वे के अनुसार

मौजा/थाना	रैयत	खाता	खेसरा	रकवा	किस्म
नरहिया/88	गैर मजरूआ खास	623	3850	90डी०	पोखर

रिविजिनल सर्वे के अनुसार

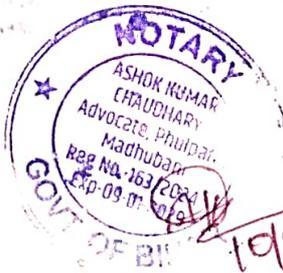
मौजा/थाना	रैयत	खाता	खेसरा	रकवा	किस्म
नरहिया/88	लक्ष्मी नारायण मंदिर सोवैत- बलराम दास	2161	6480	90डी०	धनहर

इस प्रकार पूर्व में भेजे गए प्रस्ताव के स्थान पर नये सिरे से भेजे गए प्रस्ताव के कारण पोखर पर थाना भवन निर्माण संबंधि कोई मुद्दा नहीं रह जाता है।

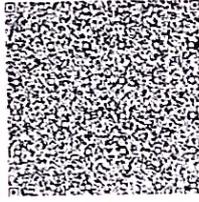
10/3/25  
अंचल अमीन  
लौकही

10/3/25  
राजस्व कर्मचारी  
लौकही

10/3/25  
SUSHIL KUMAR MANDAL  
ADVOCATE  
Subdivision Court, Phulparas  
Enrolment No- BR/860/2021



10/3/25

<p>भारत सरकार Government of India</p>  <p>आधार नंबर: 84037015</p> <p>अमर कुमार चौधरी Amar Kumar Choudhary जन्म तिथि/DOB: 12/12/1955 लिंग: MALE</p> <p>आधार प्रमाण है पहचान है, नागरिकता या जन्मतिथि का नहीं। आधार केवल अंतराज्यीय (अन्तरराज्य प्रवासीकरण) या अनुमान की संदर्भ में उपयोग के लिए है। Aadhaar is proof of identity, not of citizenship or date of birth. It should be used with verification (online authentication, or scanning of QR code / offline AML)</p> <p>8678 3701 0829</p> <p>मेरा आधार, मेरी पहचान</p>	<p>भारतीय विशिष्ट पहचान प्राधिकरण Unique Identification Authority of India</p>  <p>नाम: सुरेश मंडल, गढ़ सिंधी घाट, सुल्तानगंज, सुल्तानगंज, सुल्तानगंज, भागलपुर, बिहार - 813213</p> <p>Address S.O. Suresh Mandal, new sathi ghat, Sultanganj, Sultanganj, PG, Sultanganj, DIST: Bhagalpur, Bihar - 813213</p> <p>8678 3701 0829 VID : 9152 8676 0371 8007</p> <p>1947   help@uidai.gov.in   www.uidai.gov.in</p>
---	---

Amar Kumar Choudhary

NOTARY  
ASHOK KUMAR CHOUHARY  
Advocate, Phulparas  
Madhubani  
Reg No. 162/2024  
10/3/25

Advocate  
SUSHUL KUMAR MANDAL  
ADVOCATE  
Subdivision Court, Phulparas  
Enrolment No- BR/860/2021