

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16278 of 2014

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Manjeet Kumar Singh @ Nepali Singh, Son of Late Jai Chand Singh, resident of Village - Malaypur, P.S. - Barhat (Malaypur), District - Jamui.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary Human Resources Development Department, Bihar, Patna.
3. The Director (Administration) cum Additional Secretary Education Department Bihar, Patna.
4. The Director Secondary Education, Bihar, Patna.
5. The Divisional Commissioner, Munger.
6. The Regional Deputy Director (Education), Munger.
7. The District Magistrate, Jamui.
8. The Superintendent of Police, Jamui.
9. Sub-Divisional Officer, Jamui.
10. The Dy. S.P., Jamui.
11. The Circle Officer, Barhat.
12. The Officer-in-Charge, Barhat Police Station.
13. Dr. Braj Kishore Singh, the Principal, Rajkiya High School, Lathlath, P.S.-Barhat, District-Jamui.

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajesh Kr. Sinha, Adv.

For the State : Mr. Ashish Kr. Lal, AC to GA-12

For the Intervener-Respondent : Mr. Prakash Mahto, Adv.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

Date: 22-09-2015

This writ application, under Article 226 of the Constitution of India, in the nature of Public Interest Litigation, has been filed seeking direction to the respondents-State of Bihar to remove encroachments from the public land, belonging to Rajkiya High School, Lathlath, in the district of Jamui, admeasuring 64.61 acres of land. It is the plea of the petitioner that 39.85 acres of agricultural land, belonging to the said school, out of total area of 64.61 acres of land, have been encroached upon by some of the villagers.

2. Heard Mr. Rajesh Kumar Sinha, learned counsel, appearing on behalf of the petitioner, Mr. Ashish Kumar Lal, learned AC to GA-12, appearing on behalf of the State and Mr. Prakash Mahto, learned counsel, appearing on behalf of the intervener-respondent.

3. A counter affidavit has been filed on behalf of the respondents-State of Bihar stating therein, in Paragraphs-4 and 5, as follows:-

"4. That it is respectfully and humbly submitted that in compliance of order dated 27.07.2015 passed by this Hon'ble Court, the



encroachment in Rajkiya High School, Lathlath has been removed and the land has been demarcated and possession handed over to the Principal Rajkiya High School, Lathlath, in the presence of the Circle Officer, Barhat, SHO, Barhat. Principal in charge Rajkiya High School, Lathlath local inhabitants of the village.

5. That it is further submitted that after removal of encroachment the persons present at the time have certified the same and have put their signature on the paper in proof thereof. Thus the direction of the Hon’ble Court has been fully complied.”

4. In view of the statements made in the counter affidavit, as noted above, learned counsel, appearing on behalf of the petitioner, seeks permission to withdraw this application.

5. Permission is accorded.

6. This application is, accordingly, disposed of as withdrawn.

(I. A. Ansari, ACJ.)

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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