

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17103 of 2014

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Pawan Kumar son of Late Ram Milan Prasad Resident of Mohalla -
Satpura, Durga Asthan, P.O. Ramna, P.S. Kazi Mohammadpur, District -
Muzaffarpur

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Revenue and Land Reforms Department, Government of Bihar, Patna
2. The Deputy Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna
3. The Collector, Muzaffarpur, District - Muzaffarpur
4. The Deputy Collector Land Reforms, Muzaffarpur, District - Muzaffarpur
5. The Sub - Divisional Officer, East Muzaffarpur, District - Muzaffarpur
6. The Circle Officer, Mushahari, District - Muzaffarpur
7. The Station Head Officer, Kazi Mohammadpur Police Station, District - Muzaffarpur

.... Respondents

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Appearance :

For the Petitioner : Mr. Mithilesh Kumar Vidyarthi, Advocate
For the Respondents : Mr. Anil Kumar Sinha, G.A.-9
Ms. Nutan Kumari Sharma, A.C. to G.A.-3

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 08-09-2015 None has appeared on behalf of the petitioner.

However, Mr. Anil Kumar Sinha, learned Government Advocate No.9, appears for the State and we have heard him.

From this writ application, made under Article 226 of the Constitution of India, which has been filed in the form of Public Interest Litigation, it transpires that the petitioner has purchased a plot of land. The petitioner has filed a petition before the respondent No.4, namely, Deputy Collector Land Reforms,

Muzaffarpur, seeking recourse to the provisions of Section 133 of the Code of Criminal Procedure, 1973, in order to get removed the alleged encroachment or obstruction from the pathway leading to his land.

From the narration of facts in the present petition and the materials on record, it clearly transpires that this application cannot be treated as a Public Interest Litigation, as this application involves individual interest of the petitioner and his grievance that the pathway to his land has been encroached or obstructed upon, can be remedied by taking recourse to the provision of Section 133 of the Code of Criminal Procedure, 1973.

Situated thus, it is clear that the present proceeding is wholly misconceived and stands, therefore, dismissed.

(I.A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

A.F.R.
Pawan/-

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