

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1851 of 2015

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1. Narendra Nath Son of Late Bhola Ram Resident of Village /Mohalla -
Chanwar Takiya, P.S and P.O- Sasaram, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Rohtas, Sasaram.
2. The Executive Magistrate, Nagar Parishad, Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Ms. Rekha Prasad, Adv.

For the Respondent/s : Mr. Anshuman Singh, GP-24

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

3 02-02-2015 Ms. Rekha Prasad, learned counsel for the petitioner,

learned counsel for the State and Mr. Vijay Shankar Upadhaya for

the Sasaram Nagar Parishad.

The grievance of the petitioner is two fold namely:

(a) that the shop allotted to him is smaller than the shop for

which he had applied and had deposited the bid amount;

and

(b) that there is huge encroachment in front of his shop

No.3 at Bailkhana market area, Sasaram and the entry to

the shop is encroached by the neighboring shop. It is his

grievance that despite representation being filed before

the Executive Officer, Nagar Parishad, Sasaram copies

of which are placed at Annexure-7 series, no attention has been drawn and hence the writ petition.

Ms. Rekha Prasad learned counsel for the petitioner submits that in so far as the area of the shop is concerned the petitioner has already moved in C.W.J.C. No. 15642 of 2014 and which is pending consideration before this Court but the grievance raised in the present writ petition is not a subject matter of the said writ petition.

Addressing to the photographs placed at Annexure-6 to the writ petition Ms. Prasad submits that the shop of the petitioner run under the name of Maa Vaishanavi Auto Parts, stands encroached by the neighboring shop, who has obstructed the access to his shop. She further states that the owner of the shop No.1 has also encroached beyond his area by construction of a wall. It is contended that all these facts have been brought to the notice of the Executive Officer, vide representation placed at Annexure-7 series but no attention has been paid by the Executive Officer.

Having heard learned counsel for the parties and taking into consideration the nature of grievance raised which is also supported by the photographs placed at Annexure-6, this writ petition is disposed of with the direction to the respondent No.2 the Executive Officer, Nagar Parishad, Sasaram to consider the

grievance of the petitioner and pass appropriate orders in accordance with law expeditiously and preferably within three months from the date of receipt/production of a copy of this order.

(Jyoti Saran, J)

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